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AN
EXAMINATION
OF
THE WITNESSES, AND THEIR EVIDENCE,
GIVEN
BEFORE A ROYAL COMMISSION
UPON THE ADMINISTRATION AND OPERATION OF
THE "CONTAGIOUS DISEASES ACTS, 1871."

BY FRANCIS CLOSE,
Dean of Carlisle.

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AN EXAMINATION,

Etc., Etc.

BEFORE we proceed to a more minute and critical inquiry as to the nature and weight of the great mass of evidence *pro* and *con* upon the momentous subject contained in the "Blue Book," there are some general impressions which should be recorded with regard to the tone, complexion, and tendency of the whole.

Some facts are elicited which will be new to many persons; suggestive of great national guilt and complicity in sin for many years past; there is much to sadden the hearts of the moral, the virtuous, and the pious; but it may eventually be found that the disputes on the legislative matters respecting this fearful iniquity, were the providential means of "bringing to light those hidden things of darkness," and so of awakening and stimulating the moral sense of this Christian country to a discharge of its arduous and imperative duties. When "the present tyranny is overpast," it may be that measures of moral and social reform will be adopted, better calculated than any at present in operation to stay the plague of sin, and dry up the fountains of vice.

Among the many painful thoughts suggested by a study of this enormous volume of nearly one thousand pages, "the Blue Book," recording the proceedings of the Royal Commission—none have been so distressing to me as the manifest disposition of all the witnesses connected with the Army and Navy who support the Acts, to make light of the sin of fornication; to treat it as an unavoidable frailty of human nature, a sort of necessity, and prostitution as a natural consequence, a kind of safety-valve to the pent-up passions of mankind, which must, therefore, especially in great bodies of men *compulsorily unmarried*, as in the Army and Navy, be dealt with accordingly; measures must be taken not to curb the passion, nor direct it into the lawful and divinely appointed channel of matrimony, which is to a great extent forbidden in the Army, but to secure an ample provision of healthy women, who may satisfy the fiery passions of the soldiers and sailors. A

lurking persuasion of this kind underlies almost all the evidence in favour of the Acts ; it is discernible by any one who is aware of its existence ; a few witnesses disavow it—very few—the majority are palpably under its guidance, and some boldly and shamefully avow and act upon the principle, a principle which, if admitted as true in fact, places the Almighty himself under the awful condemnation of enacting laws which it is physically and morally impossible for his creatures to obey ! I am sure that many advocates of permissive and licensed prostitution—I use these terms deliberately—would shrink from such impiety ; but feeling as I do, and knowing what I do of the weakness and corruption of human nature, I am not surprised that such a fearful conclusion is formed. “With man,” our Lord distinctly tells us, “it is impossible !” Many will say to this, that you cannot make all men Christians, and until you can you must let them be fornicators. Unassisted man cannot control this or any other natural passion, but if they “knew the grace of God,” if they knew and sought that help by which alone they can be saved, they would be able to add, “I can do all things through Christ that strengtheneth me !”

In the absence of the true moralising principle, and impelled by a strong under-current in the opposite direction, to what fearful length will men in authority go !

Connected as I have long been by intimate family ties with various branches of the two Royal Services, and feeling, as I am sure every true and loyal Englishman does towards them, it is with the greatest reluctance that I direct public attention to the disgraceful practices which have long prevailed, and do yet prevail, in these ranks. Let it not be forgotten by my readers that I record no facts in these pages which are not substantiated by the evidence before me, and I add nothing from other sources. When I was first aroused to a burning indignation against this immoral legislation, I had neither seen, read, nor heard anything on the subject ; the topic was absolutely new to me, and I entered upon its consideration unbiassed by a single opinion of any other man ; in my case it might be truly said that the Acts were left to speak for themselves. Astonished and confounded at such a frightful perversion of morals, I turned to the Committees of LORDS and COMMONS held on the subject, and carefully read the evidence deposited before them ; and as I read the fire kindled, my spirit was stirred within me, and I could not but speak. Many thousands of copies of my former pamphlet upon that evidence were circulated, and among many thanks I never received a censure or a caution against their impropriety, except from one person only, who I found was not himself altogether immaculate in his morals. I hope there is a manly and virtuous mode of handling such a subject, forced upon us as it is by surreptitious legislation of a

character too evil to name. But I leave my personal impressions with the solemn and sad record of my deepening conviction as facts arise before me (not from without, not from sensational pamphlets, nor from any of those appeals to which the advocates of the system endeavour to ascribe such views as mine), but from within only; the dark covers of this detestable "Blue Book" contain an amount of evidence—crushing evidence—enough to bear down ultimately all endeavours to sustain a scheme of legislation, the like of which in its tyrannical, degrading, and demoralising issues was never before attempted to be forced on any free country.

But to return to the moral tone of the Army and Navy as revealed in the evidence before us, and more especially to the flippant mode of thought and speech, and the heartless and unfeeling manner in which the hapless victims of their passions are regarded by their military patrons. I shall refer only to two witnesses on the Government side of the question relative to the condition of things in India now and in times past. The spirit of the Acts in question has, we are assured, been in operation there for many years, and not a few of their direct enactments have been enforced.

In the course of an examination of *Dr. Ross* and *Lord Sandhurst*, a system of public prostitution under the orders of the British Army is disclosed for which few will be prepared. We shall see here what some men would do at home if they had the power. The tale is a horrible one, but it must be told, and in their own words.

Dr. Ross (15,110) was surgeon in the 92nd Highlanders, and had recently returned from India. The Acts in India are much the same as here, and are strictly "enforced." How matters respecting the women are managed (they are all native women) is thus described:—

When a regiment arrives in India, a certain establishment is told off for each regiment as it arrives, and amongst others *there is an establishment of prostitutes, who are housed in the bazaars, and regularly looked after by the matron appointed for the purpose, and superintended and examined by the surgeon of the regiment.*

15,130. That is the system now?—That has been *the system all along since I have known India*, and it still continues, in addition to the Lock Hospital system now in operation. As I told you, when a regiment marches into the station there are certain persons of every description, what we call camp followers, told off for that regiment, and, in fact, when a regiment in India goes on a line of march there is a *form to be filled up, and in one column there is amongst the camp followers one for prostitutes, showing the number who are permitted to follow the regiment*, and those women we made a point of examining every fortnight. There is a head woman, under the name of the *matrahee*, who is at the head of the *kusbees*, or prostitutes. *She selects the women. She is told that such and such a regiment is coming into the station, and, according to whether the regiment has had a name sent before it or otherwise, she gets a small or a large number of women to come to her.*

15,180. Is any limit set to the number of these women?—There is no limit.

15,183. Would you say that the effect of a regiment coming into any district in India was to increase the number of prostitutes in that district?—No; there is a certain class in India who are prostitutes by profession, and it is difficult to get the other classes to become prostitutes, except occasionally, and on the sly; those you cannot lay your hand upon; but prostitution in India is a profession from infancy!!!

This worthy surgeon adds, that on one occasion he wrote to this *matrantee*, or procuress, that she must supply more women for his regiment!

This deplorable evidence is confirmed in much the same strain by *Lieutenant-General Lord Sandhurst*. His lordship speaks of this hapless and hopeless caste of born prostitutes thus:—(15,209) “There was always a number of *these* CREATURES following the bazaars;” and he proceeds to describe the military regulations.

Asked if there were any opposition to these laws in India, he replies, “Not among the natives.” “There was a considerable agitation in India among Europeans, who were *very serious in their ways of thinking*, but it was *purely on the religious ground*, and on *no other ground at all*.” And of course the religious ground was of little consequence! His lordship did not think any shame was attached in India to the practice of prostitution—“it was a sort of profession there, a matter of caste, and people are born to their calling;” so that the CREATURES did not feel degraded or object to inspection, &c. As to the numbers supplied to each regiment, the thing was regulated by the “demand and supply,” as in other trades! His lordship has peculiar views respecting the examination of the persons of soldiers periodically. He greatly objects to it, on the ground of degradation and the loss of self-respect, but can see no degradation at all in the case of women! Why? Because the latter live by it as by a trade, and would starve if they were ill, and the former, the soldiers, are only gratifying their natural passions!! So the poor wretch who submits her person to every indignity which lewd men can demand, and to the caprice of surgeons, young and old, finds no pity, though she must starve if she reformed, while the man of pleasure and sin, well fed, well clothed, and pampered in his lusts, goes scathless.

I shall be much surprised if this disclosure of the public deprivation of morals by our European troops, with the concurrence, yes, under the regulation of staff and regimental officers, and at the expense of the country, does not arouse a strong indignation. Talk of the violation of conscience because a ratepayer contributes a farthing in the pound towards an education of which he does not approve! What a farce, what a “gnat,” to this “camel,” aye, these thousands of camels, which we have been

swallowing for a century and more ! O ye mothers of England, tell these great officers, and these relentless doctors, that these poor little *innocent babies*—"CREATURES"—which they say are *born prostitutes*, are God's "creatures"—have souls to be polluted or saved, reason, heart, feelings, affection, as much as the babies of General Officers, Bishops, or Princes ! No wonder, ye women of India, that you cast your female infants into the Ganges ! Better far that cold bed of innocency than the hot bed of vice and degradation which is their miserable destiny ! If this deplorable exhibition of English military profligacy be, as it is asserted by these witnesses, the common practice in India, it may account in some measure for the slaughter of the KYBER Pass, the bloody Mutiny, or any other judgment of God in store for us ! And as for missionaries—with such a blot upon our national character, I wonder there is a single convert ! Truly the sentence on the ancient Jew is justly ours :—"The name of God is blasphemed among the heathen through you."

Somewhat of the same spirit is discoverable in the fact that out of the eighty-three witnesses who give evidence before this Commission, with one or two peculiar exceptions, those for the Acts, or on the side of Government, all are more or less connected with the Army or Navy, whether as officials, medical men, clergy, or civilians ; while those who give evidence against the Acts, with one or two exceptions, are all unconnected with the Army, whether medical men, clergy, or private persons ! The obvious strong weight of prejudice in favour of the Acts springs from the Army, the Navy, and the Government ; although the history of the Acts shows that the civil portion of the Government was from the first beguiled into the system by the joint and somewhat imperious action of the Horse Guards and Admiralty ; but being once involved in it, they appear as its warmest advocates. Whether it was politic on their part out of the fifty-two witnesses to select five for evidence in chief who are in some character or other *salaried police officials*, and no less than ten out of the fifteen of their medical witnesses, if not more, actually paid agents under the Acts, and the rest of them officially interested in their success, the public will judge. With one exception, so far as I can decipher the credentials, every medical man who gives evidence on the Government side is more or less pledged by interest, by office, or by *esprit de corps*, to support these Acts. Far be it from me to impugn the integrity of any one of such witnesses, nor do I allege that their position or prejudices would lead them to state that which they did not believe to be true, but that their antecedents and present interest and influences must in some degree cloud their judgment, and at all events diminish the value of their testimony in the public mind, few can doubt.

Of the comparative value of the evidence of the seven laymen who supported the Acts, as contrasted with the thirteen who opposed them, we shall judge better after further investigation.

Of the eight clergymen, also, who appeared as witnesses—three against them, three in their favour, and two doubtful—we shall have something to say.

Of the evidence of the five dissenting ministers—three against the Acts, and two in their favour, though not very strongly—notice will be taken.

It is a somewhat remarkable fact that not one single medical man, of perfectly independent position, and unconnected in any way with the working of the Acts, appears in their behalf. While nine such witnesses depose against them, and one is rather neutral.

To the credit of our sisters be it recorded that not one single independent female witness gives evidence in favour of this legislation. Five, or perhaps six, connected with the Acts, and living by them, appear in their favour, though the evidence of some even of these is equivocal. While seven courageous and benevolent independent ladies depose unflinchingly against them. This is but a rough sketch, and may be, in regard to some of these eighty-three witnesses, inaccurate; but with no information but the printed evidence, it is not always easy to decipher the exact position of individuals, nor perhaps to class them with certainty.

But my accuracy may be tested by a nearer examination of the evidence deposed. And here I must premise that I quote chiefly from the "Analysis of Evidence" furnished by one of the Commissioners favourable to the Act, as it now stands, at the opening of the Blue Books, as I cannot undertake to read the 900 pages at length; neither would I if I could, for one half of it is so broadly medical, and treats of subjects so disgusting, that none but a professional person ought to read it—it is actually loathsome. But as this affects only the question regarding the contagious character of the malady—a question which I shall not discuss—there is no necessity for such perusal. In the case of several of the more important witnesses I have generally referred to their evidence *in extenso*.

We will begin with the witnesses—neither few nor unimportant—who testify to the demoralising and degrading effects of these Acts. We have to call medical men, clergymen, civilians, and some plainer folk, not to speak at present of our lady advocates.

Here is an old soldier, now a Scripture reader employed by the City Mission, *Mr. Krause*. He was twenty-three years and a half in the Army, attached for some time to the medical department. His work lies in Woolwich and its vicinity. "Believes that the Acts have increased prostitution very considerably; has no doubt about it. The system of examination of women has this

effect—they usually get drunk to go through the operation. They appear perfectly shameless; it confirms them in their evil life, hardens them, and they consider themselves Government girls;” “they are legalised prostitutes.” “Public solicitation continues in the streets.” “When I was in the Army I believed that Acts something similar to the present would be a great boon and blessing, but my opinion has changed considerably since then.”

J. A. Phillips is an interesting witness of this class. He has done what few of us can boast, he has suffered loss of pay and position rather than be an agent of immorality.

Has been in the Metropolitan Police Force fourteen years. Is still there as private constable. Was ordered on the special duty of working these Acts to Shorncliffe, where he was for nine months, with increase of pay 5s. per week, and 2s. for plain clothes. Then resigned from conscientious objection to the working of the Acts—“the work was so offensive and disgusting to him.” (19,774) “It was his own impression that the Acts were decidedly wrong in their principle and tendency from what came under his own observation—the immoral effects that were produced consequent on the operation of the Acts.” He is examined at length, and deposed repeatedly to the hardening effect of the periodical examinations, and the concurrence of brothel-keepers; “has not the slightest doubt that the Acts increase fornication both in men and women.”

He, with other witnesses, attest that the women are usually under the effects of drink when they come to be examined, they “have told him that they could not submit to it without drink.”

Passing to evidence of a higher grade, we select *Captain Brown, R.A.* Captain Brown is an officer in the Royal Artillery quartered for five years at Woolwich, who volunteers his evidence on deep conviction. No one can read his evidence in full, without being struck with its integrity and manliness. He will never testify to what he does not know personally, nor be betrayed by very sharp cross-examination even into a partial commendation of the Acts. In this case as in many others, an unpleasant impression is left on the reader's mind, that there are not very candid attempts on the part of some of the examiners to make the witness confute himself, or to weaken the force of his evidence. In reading these records one often instinctively recurs to the cross-examination in the Tichborne Case.

Captain Brown is moderate and fair and judicious in all his statements; the definite points of his evidence are these—the result of personal inquiry and active exertion in reclaiming fallen women.

He has a decided opinion that the examinations are degrading and demoralising to the women; their registry as prostitutes has a demoralising effect on the women and on the public. He is sure that prostitution has increased under these Acts, that the solicitation in the streets is worse than before, that the brothel-keepers are all in favour of them, and work with the police for their own interests. The parish officers of Woolwich, Plumstead, and Charlton, once disposed to favour the Acts, have changed their opinions, and see that they are doing harm. Had heard a colonel say to the men publicly at the head of his regiment “that they must go with clean women.” Witness condemns the Acts as wrong in principle, “doing evil that good may come,”

avowedly making provision for future sin. He gives most honourable testimony to the motives of many who support the Acts, believing them to be misled and deceived, while he states that it is the profligate, both men and women, who more generally advocate them.

To all candid, generous, and pious minds, the testimony of this religious officer will prove weighty indeed.

It may safely be affirmed that all the witnesses engaged in voluntary efforts for the reformation of women, with not more than one or two exceptions, and all the representatives of such societies are distinctly against these Acts.

Thus, *Mr. R. B. Williams*, member of the committee of the *Rescue Society*, "with great experience for many years, has travelled and investigated facts in the towns under the Acts, and among foreign fallen women in England, and has interrogated hundreds of women," and this is briefly the summary of his valuable evidence.

He has visited most of the towns subjected to the Acts, and has formed a decided opinion that the system is immoral in tendency and in results. The Acts are based on the vicious principle that incontinency in men is a venial offence, and they provide for and protect men in vice. With regard to women he considers that they produce prostitution and obstruct reclamation.

The women spoke with horror and disgust of the examinations, and many complained of pain afterwards. His experience convinced him that voluntary hospitals would answer every purpose. He has positive proof that many girls who were not prostitutes were manufactured into prostitutes by these Acts : considers that the Acts foster clandestine prostitution. The French girls are utterly debased and irreclaimable. He attributes this to the cruel and debauching French system. Believes that if the Acts were repealed a great reduction in prostitution would follow.

This evidence must be read to be appreciated. It is most convincing.

Mr. Thomas is Secretary to the London Female Preventive and Reformatory Institution.

The witness has had 19 years' experience in this work. He has been in other towns, such as Woolwich, Chatham, Bristol, and Harwich, has examined the working of the French system at Paris, has spent hundreds of nights distributing tracts and talking to the fallen women in the streets of London, and has been on the committee of the Midnight Meeting Society from its formation.

The system in Paris is frightfully demoralising ; 50 per cent. of the women are clandestine. The system under these Acts is on the same principle as that in Paris. The examinations are cruel, degrading, and unnecessary. Voluntary hospitals would meet the case. The women, under the Acts, are more degraded, and attribute their degradation to the frequent examinations. The Act recognises brothel-keepers—gives them a status as co-operators with the police. Police ought to be in uniform. His condemnation of the system is unqualified.

Here is another member of the Rescue Society.

Mr. Cooper is Secretary to the Society.

Witness's opinion, formed from what he observed in Plymouth, was most adverse to the Acts. He observed much that was objectionable at the Royal

Albert Hospital. There are cells for the women almost underground, arranged exactly as in a prison. The doors were padded with felt, in order, as he was informed, to prevent the cries of the women confined there from disturbing the wards.

These cruel cells are denounced in evidence as illegal, by a Plymouth magistrate favourable to the Acts; and have since been disused.

The forcible examination of women disgusts them. The women consider themselves Government women, licensed for their business. Brothel-keepers co-operate. Young persons demoralised by the police exhibitions. At Southampton all the immediate neighbours—45 in number—signed a paper against the examination-room as a “curse and a scandal!” He desired nothing less than the immediate repeal of the Acts. They not only degrade the women, but interfere with the moral agencies of reforming them. He does not believe in the “deterrent” influence of the Acts. The witness firmly believes that the moral evil resulting from these Acts more than counterbalances any physical advantage—it is a licensing of prostitution, and an incitement to vice.

Mr. William Littleton is an Army Clothier and Registrar of Marriages at Devonport. He is unconnected with any Society, and urged on by a sudden impulse to avenge what he thought wrong and oppressive, became a vigorous opponent to these unchaste Acts. His examination is long and tedious, and presents features of sarcastic and cynical questions which do not turn to the credit of the Examiners. They attempt more than once to impugn his motives, and sharply interrogate him as to what he got by this officious course. But his honesty and enthusiasm were too much for them; and one can only wonder that certain Commissioners, evidently the leaders of the crusade against all the witnesses opposed to the Acts, should venture to cast motives in their teeth, while three-fourths of all their own witnesses are paid agents, or beneficially interested in the continuance of the Acts. With Mr. Littleton's roll of individual hardships and sufferings I shall not meddle, not because I doubt them, but because they lie beyond the two great subjects upon which I would satisfy my readers; first and chiefly the essentially immoral tendency of the Acts, and next their failure to accomplish even their physical object. A few general facts affirmed by Mr. Littleton on his personal knowledge may suffice as specimens of his evidence.

Has seen more than 200 women on the subject. Many complain of being much hurt in the examination; that they are sent to the hospital unjustly, and are not allowed to see their solicitor or civil surgeon. (This last act of oppression is acknowledged and condemned by several witnesses friendly to the Acts, and by a Plymouth magistrate.)

Witness does not think the Acts have checked brothels in the least. A good understanding exists between the police and the brothel-keepers. Witness is not the “paid agent of any association,” and has no pecuniary interest in opposing the Acts. He does so because he believes they seriously affect the moral character of his countrymen. Witness has a list of 62 women reclaimed through his agency since July 1870. Three leading chemists in Devonport declare that the malady is more prevalent, and the cases are more virulent than formerly. Thinks it a duty to mitigate contagious diseases, but thinks

the Acts only do so for the purposes of vice, and to save the State the loss of the services of disabled soldiers and sailors.

How any one can doubt or deny the latter fact in the face of such a cloud of witnesses is surprising.

The next witness against the Acts is *Henry Richardson, Esq.*, Registrar of the Court of Probate at Cork, a perfectly independent witness unconnected with any outside movements, and led to his conclusion by personal and active inspection of the work; he deposed to this effect—

I have endeavoured calmly to look at the whole matter in its bearings *pro.* and *con.*, and I believe the Acts, so far as I have known Cork, have increased the vice; that the effect of the Acts has been to make women carry on this trade in a clandestine manner, and that they have a decidedly hardening influence. Much opposition to them in Cork. At a public meeting, at which no ladies were present, resolutions were passed condemnatory of the Acts, without qualification. At a debating society of gay young men the Acts were approved of, for well understood reasons. "He believed that the whole tone of morals in Cork has been lowered by these Acts. Had lived in Cork six years, and asserted that any change in the state of the streets was for the worse; there is constant and rude solicitation."

I am constrained to remark that the cross-examination to which this gentleman was at great length subjected, and the attempts to make it appear that he contradicted himself, were indications rather of strong partizanship rather than of a grave and disinterested desire to arrive at the truth. His evidence-in-chief, and his main and all important facts, nevertheless remained untouched.

The examination of *Mr. W. Shaen*, Solicitor, Chairman of the National Association for the Repeal of these Acts, and the evidence he gave form a volume in themselves, containing legal opinions and facts of no common interest. He was asked 173 questions, and his replies were not short; they were long and convincing. The tone of this gentleman's examination bears a singular contrast to that of some others I have noticed; indeed, it assumes rather the character of a debate between the Pro-Acts Members of the Commission and a witness who was quite equal to the occasion. On legal, medical, and moral grounds his condemnation of the Acts is most powerful and convincing. It is impossible to give any synopsis of such an able pleading, but I select only one or two points of evidence.

Shows that the Acts were surreptitiously introduced, and that neither he, nor scarcely any one, knew anything about them until after the passing of the Act of 1866. Believes the employment of the metropolitan police in non-military places like Southampton to be positively illegal; that the women are hurt and injured by the examinations; that the "voluntary" submission is a trap to them; that the solitary confinement in cells at Devonport hospital is illegal. He objects to the examination of women under the Act, and their compulsory detention in hospital. *He objects to investing public money in facilitating prostitution by curing disease and making fornication more safe.*"

Any one who wishes to see the case ably argued on both sides, let him read this evidence in the Blue Book (19526—19699).

The examination and evidence of *Mr. J. Stuart Mill*, present some peculiarities, as might be expected. He argues the case as a legislator and moralist, and as one not practically acquainted with the actual results. The keenest advocate on the other side among the Commissioners, in vain attempted to shake the truth of his general proposition, or his condemnation of the fundamental principles of the Acts as immoral in their tendency. With soft words, but hard logic, the baffled Examiner tries to fence with this witness. The power of the latter is fatal to the Commissioners' cause. A few samples alone can be given.

His chief ground of objection to the system is on the score of the infringement of personal liberty; but he considers it also objectionable for the Government to provide securities *against the consequences* of immorality. It is a different thing to remedy *the consequences after they occur*.

He finds it difficult to separate the encouragement of sin and the protection of the innocent. The action of these laws is equivalent to licensing vice. At present it is undoubtedly understood that vice is considered by the State as a necessity to be regulated, but not met with serious disapproval.

He thinks the Acts have a decided tendency to increase the class of prostitutes by increasing clandestine prostitution, and by producing a constant influx of new prostitutes to fill up the vacancy created by the women who are temporarily withdrawn. He does not speak from practical knowledge on this subject, but from a reliance on a law in political economy which must produce this tendency.

And this result is abundantly confirmed by the evidence of all independent witnesses. He concludes—

He cannot judge from experience whether the Acts have actually done moral harm; but he thinks their natural tendency is to do harm, by leading people to think that a course of conduct which is legislated for and made safer by the State, is either not bad at all, or a necessary evil.

And again the philosopher is sustained by evidence. "*The necessary evil*," is generally assumed by the advocates of this bewildering legislation. Perhaps this philosophical evidence of Mr. S. Mill may have its weight with some persons who do not value that of a more religious character.

I believe these are the principal independent laymen and unprofessional persons who give their evidence decidedly against the Acts. We now therefore turn to the medical testimony on the same side. Here we have ten gentlemen perfectly uninterested by position, by pecuniary advantages or clanship, whose medical proficiency cannot be questioned, and who both on medical and on moral grounds condemn this Legislation. They are all civilians; as a rule all such are against the Acts, military and naval men support them, whether medical or even clerical.

But here it must be observed, that while I must quote with

sufficient plainness the evidence of medical men, proving that neither the French nor these present methods, ever have or ever can stamp out the fearful malady in question. I shall avoid as much as possible, details of a gross character. Much of this might even have been suppressed; it is often utterly contradictory, and proves nothing; and sure I am, that no pamphlets which have come under my eyes are half as unholy and impure as the contents of this book itself. It will appear that these cruel Acts are as impotent in extinguishing the disease as they are mischievous in patronizing vice.

Dr. C. Drysdale believes in the efficiency of free hospitals. Has had great experience in London and in Paris. Prostitutes are only too glad to enter the hospital, and generally glad to remain till they are cured. Is opposed to compulsory detention and penal legislation. Thinks the examination of women disgraceful, unless a similar law were applied to men.

Witness is well acquainted with the French system of inspection and registration. He believes that it has little effect in checking disease except among the prostitutes themselves, and that as regards the rest of the population, *disease is more rife in Paris than in London*. Witness attended the Medical Congress in Paris in 1867, where it was generally admitted that the French system had been practically almost useless in diminishing disease in the country.

He believes clandestine prostitution prevails in Paris to an enormous extent.

The witness sees very little difference between the Acts and the Paris system, except that the Acts are more severe, being a statute law, whereas the Paris law is simply a Police Act, and liable to alteration.

It is notorious that the French prostitutes are infinitely more filthy and demoralised in their practices than the English, which witness attributes to the degrading tendency of the license system.

Concubinage is much more extensive in Paris than in London, so much so that *one-third of the births there are illegitimate*. This he also attributes to the French system.

The population of France is stationary, owing, it is thought, to a voluntary desire to escape difficulties by not having children. That voluntary desire leads, the witness considers, to great immorality.

He thinks the recognition of prostitutes as a particular class licensed to exercise an immoral profession, has altogether lowered the tone of morality in France. He believes the periodical examination to have ruined the sense of shame among the Parisian women.

Dr. Charles Bell Taylor's evidence will be anticipated by those who read his publications. He endured a long medical examination with much ability and spirit, illustrating in his own case and that of others, the diversity of professional opinion on the subject, and the utter absurdity of forcible legislation upon data which science cannot verify.

Dr. Taylor has been a practising physician at Nottingham for ten years. Has had large experience. Thinks the Acts a gross violation of the liberty of the subject; that as a rule prostitutes live longer than other women; and that the asserted ravages of the malady have been greatly exaggerated. The Acts foster clandestine prostitution, and so increase disease. The examination

of prostitutes is an outrage which nothing human ought to submit to. Believes voluntary hospitals would serve every purpose.

Dr. Prosser James, Member of the Royal College of Physicians, and Professor of Materia Medica in London Hospital—

Familiar with the French system. Periodical examination there has driven many to clandestine prostitution, which has greatly increased. At least 30,000 prostitutes in Paris, of whom not more than 4,000 are registered. The system has neither decreased the diseases nor prostitution. Creates a false security. The women, however abandoned, feel degraded by the examination. Will not say at present "repeal the Acts," but he is not convinced that the results are sufficiently satisfactory to justify legislative interference. Believes in the efficiency of free hospitals. Maintained the moral difference between small-pox and other contagious diseases, and those special maladies to which these Acts are confined.

Mr. W. R. Dunn, Member of the Royal College of Surgeons—

Denounces the periodical examinations as degrading, and does not believe that they diminish disease at all. They do not check disease in Paris. Witness was formerly favourable to the Acts, but has changed his opinion from seeing the failure of the system abroad. Spent six weeks at Portsmouth, studying the working of the Act of 1866; found effective only on the lowest class of prostitutes. Believes in the sufficiency of voluntary hospitals, and the willingness of the women to seek them. It is the clandestine women who chiefly foster the disease.

Dr. Routh, a physician practising in London, has had very great experience in those diseases of women which are subject to these Acts.

He does not agree with the opinion expressed in the report of the Committee, that periodical examination of women is necessary to make these Acts effective. An examination of thirty or forty women in a few minutes must be inefficacious. But he objects to the Acts on moral grounds, believing that wherever prostitution has been under the superintendence of the State the greatest degree of immorality has existed, people becoming habituated to vice.

The physical inefficacy of the Acts is one argument against them, and the other is the moral objection.

The average cases in which examination would fail to detect disease is about one-third.

Dr. Stallard is a member both of the Royal College of Surgeons and also of the Royal College of Physicians.

This learned gentleman's evidence is in many respects valuable and weighty. His former connection with the Army and his great experience render it still more worthy of consideration. It has one great peculiarity—the doctor seems to have a most slight and imperfect knowledge of the Acts in question—in fact, he had not read them—yet the whole burden of his lengthened evidence is most forcibly against them. The searching examination to which he was subjected compelled him to give loathsome details, with which I will not disfigure these pages, and which are unfit for publication; but they fill the mind with horror against the dark and impure enactments both regarding men and women. Fully

does Dr. Stallard confirm the reiterated testimony that neither the disease nor prostitution could be reduced by any such compulsory system.

"My objections to these Acts are based upon certain *fundamental principles*, and there are also objections which depend upon, and are illustrated in point of fact by what I have already stated with respect to the Army." (13,152.) He condemns, as I believe every independent medical man does condemn, the periodical examination, whether of men or women, as calculated to make them "morally worse."

Yet under cross-examination Dr. Stallard is induced to say, when asked whether "his impression as to the operation of these Acts is that they have been beneficial or the reverse," "As far as I have read generally, *I should imagine that their operation had been beneficial!*" (13,180) Thus positively contradicting himself, and his "moral and physical objections"—in fact, the whole tenour of his depositions, which are as fundamentally opposed to the Acts and their operation as can possibly be conceived. This unhappy statement is, however, fully explained, if not condoned, by his reply to the two previous questions, in which he acknowledges that he had not read the Acts. "Have you read the Acts?" "I do not know that I *have specifically read them through!*" "*Have you studied the operation of the Acts at all?*" "*I have not done so particularly!*" In other words, he was totally ignorant both of the Acts and their operation, so that this incautious expression in their favour he rightly terms an "*imagination*"—"I should imagine, beneficial." Having in this the advantage of the learned doctor—having studied the Acts carefully, and read a vast amount of the evidence concerning their "operation"—I can assure him that his "impression" in their favour is a pure "imagination," and that when better acquainted with them he will see how diametrically opposed they are in principle and practice to the substance of all his own valuable and learned evidence.

Mr. F. W. P. Jago, Member of the Royal College of Surgeons, five years "surgeon to the Poor-law," till 1859, and in private practice in Plymouth for twenty-two years. A medical man, therefore, of long experience, and familiarly acquainted with contagious diseases of all kinds, especially in Plymouth and the adjoining towns. Being on principle and by experience totally opposed to the Acts, his examination, both in length, severity, and tone, bears the general character of those whose convictions and conclusions run counter to some of the leading members of the Commission. Of course his testimony must be distasteful to them, as it goes on a variety of points to contradict the evidence of the officials of Government—statistically, physically, and morally. Statistically, denying the accuracy of the official returns; physically, denying the reduction of disease; and morally, as being

the reverse of "deterrent" or reformatory, but tending to the increase of prostitution. Judging simply from the evidence of such a medical gentleman, and knowing nothing of circumstantialia but from my Blue Book, I should conclude that his evidence alone ought to settle the question, being of more weight in my judgment than that of a score of persons who are deeply interested in the continuance of these wretched Acts.

He would abandon compulsory legislation, and those pretentious and costly hospitals, palace-like in appearance, but horrid for those who go into them, and so contrary to the common feelings of the people. (7,116.)

He does not believe that there are fewer prostitutes, but that the women are more than a match for the police. Witness would not extend the Acts to the civil population. He believes the Acts have not diminished disease in the least, and that clandestine prostitution has increased since the operation of the Acts. "*He never heard a man in any rank of life liable to be affected by the Acts say a single word in favour of them!*"

When we come to the flattering description of the golden harvest of virtue reaped by these Acts in this very neighbourhood, let us remember that all the unfavourable testimony is given by perfectly independent witnesses, and the fair results are described only, or chiefly, by interested officials.

Mr. Wm. Square is a surgeon in private practice at Plymouth during the last four years, but has lived there all his life. He appears to be a young man with no medical credentials attached to his name.

Pleads great ignorance of the working of the Acts, knows *nothing of them as carried on in Devonport Hospital*, nor as regards their effect on the women themselves, only in his private practice, and that is confined to the officers; has nothing to do with the non-commissioned officers nor privates—in fact, only by "hearsay" from his military patients, *who had greatly increased in number since the Acts had come in force*; could not account for this, "but clandestine prostitution had certainly increased." Had no doubt that women who had been passed as healthy by the hospital authorities had come to him diseased, showing that the examination was in some cases at least fruitless. Objects to naval surgeons being employed in such duties, an objection made by many others.

This witness is cited and examined evidently as one in favour of the Acts, and the strongest efforts are made to extract from him opinions in their favour, but his evidence is evidently given very honestly, and again and again he pleads ignorance on questions put to him, and declines to answer, or guards himself by saying it is only his opinion. It appears that when the Acts first came in force *Mr. Square* was strongly in favour of them, but it is evident that his confidence in them is shaken. The following deposition led me to suppose that he was against them altogether, but it appears he is not so, though his opinion can have no weight whatever upon his own showing.

6,808. You have read the Acts, you say?—Yes. Shortly after the Acts

came into force there was an association which was started for the extension of the Acts to the civil population, and I was on the committee for that extension to Plymouth, but I must say that at that time we did not know so much about the Acts as we do now, as the Act then in force had only been worked for a short period. I should not at the present time think of *sitting on a committee for the extension of the Acts to the civil population as the Acts are administered at the present time. I think it would be too great a hardship. There is too much power left in the hands of the police at the present time from what I gather from the working of the Act.*"

I think with this testimony we may leave this witness very safely to the advocates of the Acts. He is almost, if not quite, the only independent medical man who in any degree favours such legislation.

Mr. Sedley Wolferstan was house surgeon at the Royal Albert Hospital, Devonport, from January, 1865, to December, 1869, nearly five years, under the Acts, and including a short time before the Acts were in force. This gentleman's evidence is most valuable, and in many respects most fatal to the Acts. It is given in a manly, consistent, and able manner; it was of extraordinary length, continued over part of two meetings, and included 849 questions. The anxiety of the advocates of the Acts among the Commissioners to weaken his evidence proves the importance they attached to it. Some of the questions involved insinuations regarding Mr. Wolferstan's private motives, which, being totally refuted, recoiled only on the examiners!

Mr. Wolferstan had great opportunities of observation, was himself an administrator of some of the laws of which he disapproved, and for his honest objection to them he no doubt suffered loss.

He is not for the abolition of the Acts without some substitute for them, is not opposed to legislation respecting the disease, but thinks it easier and better that these Acts should be totally repealed, and other laws substituted. His charges against the operation of the Acts are many and weighty, and every one of them is supported by his personal experience and knowledge. He is often pressed hardly on this point, and always maintains his position, even under sharp logical cross-examination which would do credit to a leading counsel in any of the courts!

With the help of the analysis, and a careful reading of his evidence *in extenso*, the following may be elicited:—

During the period of his employment at the Albert Hospital, nearly five years, he saw about four thousand cases and twelve hundred and fifty separate women. He objects, with many others, to the appointment of naval surgeons to this duty; at Devonport all of them are so. Their previous practice unfits them for attending the cases of women. The Acts confer too much power on the police. Witness confirms all that has been said against the compulsory examinations, falsely called "*voluntary*." He proves this by details of facts under his own eye. Of his personal knowledge, he declares that the signatures of the women avowing themselves prostitutes have been obtained by the threats of the police. Numbers of the women did not know what they were

signing. He has been present on many occasions when this was done. He *objects to the voluntary submission entirely*; declares the statistics given by Colonel Henderson and the metropolitan police respecting Devonport to be delusive—not intentionally false, but most incorrect. The hospitals are essentially prison establishments, and as such they ought to be subject to magisterial visits. Many women have been detained and sent to hospital who had no contagious disease—not less than six hundred in the five years!!! The four honorary surgeons were dismissed from the hospital, and one paid officer substituted, chiefly because of their refusal to detain so many women who in their judgment were not subjects of the Acts. This witness exposes the fallacy of the returns of women supposed to be reformed by these Acts. It appears that many of these women had been “reformed” several times, and in each case were counted as separate converts under these Acts, whereas some of them were three and some five times back again in the hospital! One woman had been returned as three, and never was reformed at all! Three hundred and seventeen had been boasted of as penitents through these Acts at this place, which, by Mr. Wolferstan’s proofs and figures, were reduced to one hundred and eighty-six; and of these the ultimate destiny is not generally certified! Well may Mr. Wolferstan say, “*I think the whole policy of these Acts should be abandoned!*” The evidence of the local and metropolitan police on statistics clash. Prostitution is not reduced—clandestine vice rather increased. He believes the women regard themselves as legally sanctioned for prostitution, that they are hardened by the system, that the moral tone of men is also lowered by the confidence of security in vice; they indulge more freely. “I am confident of this.” Proves the inefficacy of the Acts in a medical point of view; shows that there were more women reclaimed under the voluntary system than there have been under these Acts; the difficulty of reformation is increased by them. Proves the inaccuracy of the returns in another respect. Ninety-eight women were set down as discharged *incurable*, while a large majority were curable, though not *cured*! The number of women on the town is certainly not reduced by these Acts! Solicitations in the streets as much as ever, probably more! The percentage of disease has increased, especially among the women.

His depositions on the medical questions positively contradict those of Dr. Row. An amusing volume of cases in which “the doctors differ” on this fearful malady might be written, with one unavoidable conclusion—viz., the *folly of legislating, and that cruelly and forcibly on a subject, the physical character of which is so obscure*. The witness endured severe cross-examination with much patience and coolness; and his examiners, finding that they could not shake his facts, attacked his motives. Thus, he was asked whether he was not one of the four honorary surgeons who were removed to make way for a stipendiary. The only object of such a question must be to insinuate that his evidence was the result of pique and disappointment! He contented himself with saying: “*No, I was not!*” But the Counsel-in-Chief tried another road to the same end.

You were a candidate in 1869 for the office of paid surgeon? I was. Did you succeed? I did not. When did you first make known your objections to the Acts? My objections had been well known for a considerable time before that period. Well-known to whom? To the hospital authorities and the police authorities. In what way did you make them known? Simply in conversation, and I believe I failed to obtain the appointment on account of my well-known views on the subject.

Mr. Wolferstan is unknown to me, even by name ; but I confess I cannot suppress some indignation at such an examination as this ! The insinuation is obvious, and most unworthy ; the refutation is complete ! Instead of being moved by spite or revenge to give evidence against these iniquitous acts, on account of the loss of his situation, he actually lost that office because of his well-known disapprobation of these laws, although expressed only in conversation with those about him ! The attempt to get rid of such a witness, and weaken his evidence by such cross-examination, strengthens the proof of the badness of the cause which needs such support. Mr. Wolferstan's evidence goes far to crush the whole system.

This closes the medical evidence avowedly against the Acts, although we shall be able to corroborate many portions of it from the official evidence tendered in their favour.

The *Clerical* witnesses are few—eight in number—of whom three bear witness against the Acts, three in their favour, and two are doubtful. Of the first, there is *Rev. H. I. Ellison, Vicar of Windsor*, than whom no person is better qualified to speak on any question of social reform ; he condemns the principles of these Acts *in toto* : but speaking with the moderation and good sense which always distinguish his opinions on such subjects—

He shows that there were more persons of this description reclaimed in Windsor under the previous voluntary system than there have been under these Acts. He states that Prostitution has decreased in Windsor, but when his examiners wished to attribute this to the Acts, he proves that *they had nothing at all to do with it* ; it was attributable solely to the increased activity of the local authorities. He will offer no opinion as to the beneficial effects of this system in a medical point of view, but morally he expresses a very distinct opinion ; they are fundamentally wrong in principle and in operation, “making it easy to do wrong if not difficult to do good.” The result will be the removal of a great moral restraint from young men, and a diminished chance of reformation among the women. In fact, it is simply “doing evil that good may come.” *If it is evil, as it appears to me to be, to legislate in this way, then no amount of eventual good would make it justifiable in my eyes.*

A golden sentiment, worthy of universal attention, and breaking down at one blow half the defences set up around such immoral legislation ! Mr. Ellison's examination is short ; his evidence, like that of many others who testified against the Acts, being thrust in towards the end—as in his case, to the very last day—the *Forty-fifth*—when all parties must have grown weary of the odious task.

The evidence of the next clergyman whom I adduce, is perhaps the most valuable of all ; he had been nearly two years the chaplain of the celebrated Albert Hospital, unassociated with any of the divided opinions which characterise the medical and other managers of that Institution, quietly and without reproach discharging his duties, having had 1,700 cases pass through his hands, and

resigning his post only on his promotion to a church in Plymouth. The *Rev. Isaac Hawker*, does appear to be one of the most competent and independent witnesses who presented himself to the Commissioners. He meddles only with the moral questions, and singularly illustrates and corroborates by actual experience the general principles laid down by Mr. Ellison. After two years' labour as chaplain to this hospital-prison, he gives his deliberate testimony against the Acts, both as to their principle and their moral tendency. Would that I had room in these pages for a larger citation of the telling facts and sensible remarks which abound in his evidence; they would, if quoted at length form a not inconsiderable and most convincing pamphlet. Following the order of his examination, (7,293—7,676)—

He does not approve of the management of the reformatories to which the women are sent, it is too severe. The same women return frequently to the hospital. Considers that the Acts have an immoral tendency in encouraging prostitution; does not think that there are greater opportunities for reclaiming the women under the Acts than under the voluntary system. Any physical good which may be obtained by these Acts is purchased at the price of distinct and definite moral evil. With several other competent witnesses, Mr. Hawker refutes the police reports respecting the number of women reclaimed. Inspector Annis reported that out of 1,500 women 90 per cent. had been reformed. Witness on the contrary, did not believe that more than 10 per cent. had been so, he judged, by their re-appearance in the hospital. Of the 161 reported by the police as married, he said 90 per cent. continued prostitutes, being only married to soldiers and sailors, who were indifferent to their conduct. He conceives it probable that these Acts might, "with great modification," become less immoral, even wholesome. At present they have increased clandestine prostitution. The regular inspected prostitutes consider themselves as acting under the protection and sanction of the State. Witness objects both to registration and examination.

This is a brief and feeble summary of the evidence of a witness who had conscientiously laboured for nearly two years as Chaplain of the much-petted and vaunted Albert Hospital. His testimony is most valuable, and goes far to prove the utter failure of these Acts.

The *Rev. James Metcalfe*, Vicar of Christchurch, Plymouth, was Chaplain also to the Albert Hospital, under the voluntary system, and under the Act of 1864, the first and least objectionable of the disputed Acts. He in great measure, and as far as his experience goes, corroborated the testimony of the previous witness, but had no personal knowledge of the working of the present Acts, except as a member of the committee of this hospital. He was favourable to the voluntary system of dealing with disease and prostitution, and approved of the action of Government under the Act of 1864, but is distinctly opposed to the present Acts.

The general forced examination of the women, periodically, whether diseased or healthy, tends to harden them, and to place obstacles in the way of their moral reformation. A larger proportion of the women were reclaimed

under the former than under the present system. Formerly, 38 per cent., and now, not more than 23 per cent. (according to many better-informed witnesses, not 10 per cent.). "*I think the recent legislation has rather tended to place obstacles in the way of reformation!*"

This gentleman's testimony, notwithstanding he was an old chaplain and a committee-man, was not agreeable to the advocates of this system, and so he was speedily dismissed! Such are the clerical witnesses against the Acts.

The same difference of opinion respecting the character of these Acts is found among the witnesses connected with dissenting bodies. Three of them are against the Acts, two in their favour. The weight of evidence here, as in all the other instances, if judged by knowledge, information, opportunity, and ability, is clearly adverse to this legislation. These must be very briefly noticed.

The *Rev. Mr. Kelly, Wesleyan Minister, eleven years Chaplain to the Wesleyan troops at Aldershot, Chatham, and elsewhere* (his evidence is therefore more reliable than that of a Wesleyan minister not recognised as a chaplain). "Objects to opening hospitals to secure safe women for the soldiers. Considers that the Acts have a hardening influence on women, and give them false views of their position; they consider themselves (and most justly so) licensed by Government."

Rev. Joseph Webster, is another *Wesleyan Chaplain* to the Forces at Portsmouth. Has served for *twelve years* in garrison towns. Was at Aldershot in 1867, when the Acts were first brought into operation.

The non-commissioned officers and privates are against the Acts. All the men with whom he has conversed, consider them immoral; they think they foster fornication. Witness considers that they recognise prostitution. He desires to see the Acts repealed. Immorality is not compensated for by physical advantages. The general public are very ignorant about the Acts. The police have no right to take up a woman against whom they have no proof of disease. Witness does not consider the improved moral tone of the army in the slightest degree due to these Acts, but to other causes in operation before the Acts existed. The Acts are immoral because they give safety and encouragement to vice. He has not heard of the Acts having reclaimed any girls from a sinful life; should be surprised to be told that the intention of the Acts was to reclaim.

These two experienced Wesleyan Chaplains having daily free intercourse with the men, and necessarily witnessing the results of this system, are certainly most credible and valuable witnesses.

The Rev. E. Kell, Dissenting Minister at Southampton, having been a leading man in the struggles against the introduction of the Acts into that important town, was subjected to a most severe cross-examination, the tone and spirit of which were anything but suitable to such a solemn legal investigation as this.

Witness had observed a considerable improvement in the state of the streets through local efforts, but he thinks prostitution is much worse since

the Acts have been in operation. There is a great accession of fresh women, quite young girls, in the room of older ones, driven away by the police. The examination is dreaded by many, and has a hardening effect on all; has known that many women have signed themselves prostitutes without understanding the papers. Thirty-seven out of forty clergymen and dissenting ministers signed a strong protest against the Acts; the most influential magistrates are of the same opinion. At a meeting of 700 persons, not a dozen hands were held up for the Acts. 3,500 women signed petitions against them. It is believed in Southampton that fornication has been increased by the Acts. Two chemists in large practice, say that they sell more venereal medicine than formerly, and that they have more young boys come to them.

Southampton is the only town which has been placed under the Acts, not being a garrison town, and there is no doubt that the measure was introduced in defiance of the wishes of the majority of the inhabitants. Any town or city may tremble for itself, lest this most tyrannical and oppressive system be forced upon it!

We come now to a class of witnesses of no common character. That modest, and some of them refined and delicate women should overcome all their innate feelings of bashfulness, and voluntarily place themselves before such a tribunal of MEN as constitute this Commission, to be catechised on such a subject as this, must spring, one would think, from the purest zeal, the deepest conviction of wrong and suffering on the part of their lost sisters, and could only excite admiration and gratitude. Far other feelings have been expressed with no little coarseness upon the conduct of these ladies, but for my own part I tender them the homage of my admiration and gratitude, as a father, grandfather, and clergyman. It is by no small personal sacrifice they have done this thing, and thousands will one day call them blessed. The advocates of the Acts could not produce one independent female witness in their behalf! Theirs are all persons connected with the scheme, directly or indirectly, while here are seven benevolent ladies, and some of them spending their lives in the practical reformation of fallen women, all denouncing these Acts as immoral, and as specially *hindering the real reform of fallen women*.

Of the chief and foremost witness, *Mrs. Butler*, a well-known advocate of this cause, I will not venture to say one word. Her noble testimony, as well as her high character and demeanour, place her beyond the sneers of her adversaries, "and her reward is with her, and her works will follow her." Her evidence must be read throughout in order to be appreciated. To extract anything from it would only be to weaken its force and power.

Mrs. Heritage, is a widow lady, who, with her late husband, had for many years been engaged in the benevolent work of endeavouring to reclaim fallen women. Her evidence is given in an excellent spirit, though she evidently feels deeply the oppressive and unjust operation of these Acts, and the hindrance they have created to

the work of mercy to which she is devoted, and in which she has been very successful.

She has witnessed the operation of the Acts principally at Canterbury. Could not doubt the uniform tale of the women who complained of the apprehensions of the police, and of the painful examinations. Adduced cases of wrong and oppression under her own eye. Great difficulties have been created by the Acts to her approach to the women. Brothel-keepers prevent her from seeing the women, and the keepers of such houses evidently favour the new system. Civilians in Canterbury associate with these women quite as much as the military. She deposed to oppressive acts of the police in her own experience. The women use their papers as proof that they are safe: abhor the examinations, and declare they could not endure them without previous drink!

[This is the testimony from all quarters, and should be well considered by the friends of the Acts.]

She does not believe any of these women to be beyond the reach of recovery. The present system hardens them. Out of 120 or 130 women of this class (not under the Acts) whom she had visited, 60 or 70 had been permanently reclaimed. In many instances she has followed their subsequent course and proved it. The beershops in Canterbury are nearly all brothels, and the permanent residence of such women.

Mrs. E. P. Cooke, is the matron of a Home and Refuge at Chatham, whose doors are open to admit any lost woman. Has been successfully worked both before and since the Acts came into operation.

Her testimony being clear and forcible, and against the Acts, she is not detained long by her examiners, but her evidence is most valuable, confirming that of so many others that the effect of these Acts is palpably demoralizing. Strictly adhering to matters within her own experience and department, she is asked

19,509. Do you think these Acts have had a beneficial effect upon the women?—I think not.

19,510. In what way do you think they have operated badly?—I think they are demoralising. I think the girls who come in now under these Acts seem to be thoroughly immodest and given up to vice; and I find they are not so open to good influences as the others, and they seem to have a bad influence on the others that have not been under the Acts, talking to them very rudely, and immodest in their behaviour in their bedrooms without the greatest supervision; they require so much watchfulness, the operations of the Acts seem to have had a bad effect previous to their coming in.

Thinks that registering the women confirms them in their mode of life, and makes them persevere in it.

She has not been so successful with those who have come in from under the Acts as with others; 16 out of 26 have gone back to their course of life during the past year. As a rule, registered girls do not stay long; they go back to the street.

Mrs. Kell, wife of a Unitarian minister at Southampton, has lived there seventeen years, and taken great interest in the reformation of fallen women.

The Acts were smuggled into the town in May last; it was a month, at least, before any one was aware of it. Being much among these fallen women,

can attest their abhorrence of the examination ; believes the most profligate capable of feeling this ; many tell her that they could not go through it if they did not take some drink first ; many have declared that they did not know what indecency was until they went up to be examined ; knows that some poor girls have been kept for hours by the police and doctors before they would submit ! There is a large increase of very young prostitutes in consequence of these Acts, and drunkenness has much increased among them. She knows cases where common prostitution has been the result of this system. Wickedness among very young men and boys has greatly increased. The women believe themselves to be licensed by the State for prostitution ; they laugh at the idea of the State passing the Act for their reformation.

The evidence of *Miss Lucy Bull* is, on the whole, to my judgment, the most clear, honest, sensible, and at the same time the most fatally damaging to this system of legislation to be found in the Blue Book.

This lady has been matron of this Albert Hospital ever since it was opened, first under the voluntary system, and then successively under the various stages and advances of this subtle legislation, to the time of her appearance before this Commission. She has since ceased to be matron. Whether she resigned, or was dismissed, does not appear, but such a removal was the natural result of such a faithful confession of opinion.

Like all the best witnesses, she declines answering any questions on facts not under her own cognizance, and rarely is induced to give a positive opinion except on subjects on which she has personal knowledge. Any one accustomed to examine evidence will feel great confidence in hers.

A great number of women have been under her charge, and the same women frequently return. They are of all ages. For three years, before the appointment of a chaplain, and under the voluntary system and the first Act, she had the entire moral and spiritual charge of the women. Thinks them reclaimable, but that a very small portion are permanently reclaimed. Thinks the girls who come into the hospital now much deteriorated by these Acts since she was matron, that is since 1863. The forced examination and all connected with that system greatly hardens them. She describes scenes of a most disgraceful character visible from the hospital windows, low and riotous proceedings in a crowd around the inspecting room, and flash girls brought up in carriages by gentlemen, who wait for them till they come out with a clean certificate !

The proportionate numbers reclaimed under the present system is very much less than formerly under the voluntary system. She confirms the testimony of others as to the exaggerations of the police reports—not intentionally on their part, but, misled by the fact that women are set down as reformed many times over, have been understood as distinct cases, and the result has been that they have not been reformed at all. Thinks that the hospital influence does very little towards reformation, and that, following up the cases, she is confident that not more than *five* per cent. can fairly be said to be reclaimed.

This is a sad defalcation from the Police Report of 90 per cent., and it even falls below Mr. Wolferstan's estimate of 10 per cent.

Miss Bull confirms distinctly the prevalence of the conviction among the women that they are licensed by the State, and she has often heard them call themselves "Queen's women." They might be misled or wrong in this conclusion, but that it is widely cherished by them there is no doubt. She does not think that forcibly removing even very young girls from the streets, and placing them in compulsory homes or reformatories, would tend to their reformation; she is a consistent advocate for the voluntary system and kind persuasion. Has known Plymouth seven years and an half, and considers that the girls are more about the streets in the daytime and more disorderly than they used to be.

It is strange that anyone can rise from reading such evidence as this, given not by a disinterested person, but by a lady whose position was actually endangered by her courageous candour, without concluding at once against the professed *moral tendency* of this system.

Mrs. Lewis, is a married lady, employed as a Home Missionary, and living at Birmingham. She had been sent to Plymouth and Portsmouth for the purpose of examining into the real character of the working of these Acts. Her evidence is in the strongest terms condemnatory of them. That she was thought by advocates on either side to be a person whose evidence would be of some importance is manifest from the length and character of her cross-examination. She was asked no less than 308 questions, and some of them sharp and searching ones. But she proved herself a match for her interrogators, who seldom much disturbed her testimony. The *naïveté* of her replies, and the boldness of her assertions, always backed up by proffered proofs, render her examination an interesting study. She fully corroborates most of the strong evidence already deposed against the Acts, but she deals so much in details, and narration, that it is impossible to transfer her evidence to these pages. It must however be perfectly impossible that such a mass of personal deposition to the abuse and evil consequence of this legislation can be essentially untrue. Indeed, the witness offered to attest the truth of all she had to say *on oath*! It is a miserable picture, and it gives one the heartache to look at it.

It would tend materially to the elucidation of truth if all evidence before such tribunals were made *ON OATH*!

No one can read *Miss Brown's* examination without feeling very much for her. The whole tenour of her evidence showed that she was not a person who ought to have been pressed with questions upon indelicate subjects of which she again and again protested that she knew nothing. Fresh from an agricultural district in Scotland, she came to London to take charge, not of an hospital, or place of disease, but of an asylum for the conversion of women. In an evil hour for her, she yielded to the wishes of Lady Grant, and went down to Colchester to take charge of one of those

wretched Government lock-hospital-prisons, one of the smallest and worst-arranged of these hospital-prisons. From the first she disavowed all connexion with anything but the management and moral government of the women in the house. She refused to be mixed up with the medical questions, or the general working of the Acts, and it is evident that she kept herself as pure and free from defilement as such a position would allow. The modest and delicate nature of her replies to questions which ought never to have been put to her by men and gentlemen, well accord with her general character, and, on the whole, the testimony of a person of such true refinement and genuine piety would outweigh the evidence of many others.

Her evidence, after labouring for two years at this Colchester prison-hospital, which, small as it was, was never half full after the first six months, is altogether against the moral influence of these Acts.

Ignorant of the Acts, and the working of them, she states only what came under her own observation. In the London Refuge women came in to be reformed, here they came only to get cured, and were in a hurry to get out again and return to *their trade*! Great numbers were examined who never appeared in the hospital. A single ward was converted into a strong room with a grated window, for refractory patients. During her stay at Colchester, two years, she thinks she was the means of reclaiming ten girls. Is decidedly in favour of the voluntary system; compulsion is a hindrance to reformation.

No religious instruction, but by herself. An army chaplain was appointed to the duty, but seldom came. The doctor threw impediments in the way of her religious efforts to reclaim the women—objected to her intercepting improper correspondence with the women, and threatened to report her. She wished a Wesleyan preacher, and another religious friend to see the women, but the doctor and the then chaplain forbade it. She herself is a member of the Church of Scotland. *The medical officer told her that she was not brought there to reclaim the women; she had nothing to do with them!*

[Here the Doctor was a true, honest interpreter of the Government system.]

Witness confirms the statements of so many other witnesses, that the repeated and public examinations harden the women, and prevent their restoration. She says:—

On one occasion I was regretting a girl coming back for the fourth time, I had some hopes of her giving up the life, and she said, "You need not be sorry for me, I am not sorry for myself, and this place and the people here are just kept for our accommodation."

She believes that voluntary hospitals would be much better.

This, as it is said in the Courts, closes the evidence which I adduce, though much more remains, for the case of the plaintiffs; and surely there is a cause, and a great and sufficient one, why the virtue and piety of the nation should rise up against this tyrannical and polluting system, and call for its total abolition.

But it may be expected that I should take some notice of the

body of evidence on the other side. We may at once state that there are doctors against doctors, clergy against clergy, laymen against laymen, and female witnesses on both sides. Men must judge for themselves of the value of this conflicting testimony, weighing each according to its merits. One great distinguishing feature of the two cases must continually be borne in mind—namely, that almost all the witnesses for the Acts are deeply interested in sustaining them, since they either draw their income from them, or are pledged advocates of them from the beginning; while of all those who bear witness against them, not one can be produced who has anything to gain by their repeal, and some have actually sacrificed their situations through their evidence.

Let us begin with the POLICE. Every man of this body who appears, is actually in the pay of the authorities, and has also a strong *esprit de corps* in defending his position.

Two of these gentlemen appear on behalf of the three towns of Devonport, Plymouth, and Stonehouse. These adjoining towns form a sort of plateau, on which the battle of the Acts is specially to be fought; here is the celebrated ALBERT HOSPITAL, and these heads of the police have raised a flag of victory, as though the legislation had here, at least, accomplished all its pretentious designs.

But never were alleged facts and dogmas so torn to shreds by a crowd of witnesses on the other side. Reading the statements of *Mr. Anniss*, the Inspector, and *Mr. Wakeford*, the Superintendent of the Metropolitan Police for this district, after all we have heard from previous witnesses, we are filled with wonder! No person accuses these gentlemen of intentional misrepresentation; their statistics are derived from printed documents, and there is no doubt they believe their depositions to be true! And yet they are torn to pieces on all the principal and important salient facts by the matron, the house surgeon, the doctors, the chaplain, and by several independent residents!

These one and all, for example, positively contradict the *figures* of *Mr. Anniss*. They assert that there never were 1,780, much less 2,000 prostitutes in these towns. They ridicule the idea to which *Mr. Anniss* clings, that 90 per cent. of the women have been reformed, as well they may. Such a statement bears on its brow incredibility, if not absurdity! Were it true that NINETY out of every HUNDRED of these women had been finally reclaimed, where would be the clean women required by and provided for the use of her Majesty's Forces? So far from this being the case, *Mr. Wolferstan* proves by their readmission into the hospital that these reformed women, so called, relapse in great numbers; that the women claimed to have been married remain prostitutes—at least 90 per cent. of them (as *Mr. Anniss* is partial to that proportion);

that of the remainder not ten per cent. are ultimately reclaimed—the matron says not more than FIVE per cent.—while shoals of fresh victims fill up the places of those who have been scattered by the system of terrorism which has prevailed! The most extraordinary statement often repeated by Mr. Wakeford, is his firm disbelief of all clandestine prostitution! Mr. Anniss deserts his subordinate here, and admits its existence, but denies its increase! In the face of a number of credible witnesses—doctors whom such women consult, chemists, and others—this would be a most astounding assertion; did one not suspect that these witnesses do not know the meaning of the word *clandestine*. It means in this case sly, secret prostitution, carried on without the knowledge of the police, whom the women contrive to evade. And if so carried on, how could these policemen know of them? or of what avail is their assertion that there are none such? They forget the old stanza—

“ Treason ne’er prospers.
What’s the reason?
Because when it prospers
It’s no longer treason.”

So when these police discover a clandestine prostitute, she is no longer clandestine—but how many remain undiscovered? *Hundreds*, who as the medical men assert, are now the chief propagators of disease.

On many other points the assertions of these witnesses are met and answered by rebutting evidence; indeed under cross-examination Mr. Wakeford especially, seems bewildered by his own figures.

On two points I am ready to admit the evidence of the police; and I fear I must say on two only. One is, that on the whole I believe the police have endeavoured to discharge an odious duty, and one that ought never to have been imposed upon them, to the best of their ability, and that charges against their proceedings should rather be alleged against the barbarous enactments of the law itself. The other is, that the trade of prostitution is elevated, that the women are more clean, more prosperous, less disgusting in their habits! But what then? Why the sepulchre is only whitewashed and garnished! It is still filled with all uncleanness. These witnesses themselves admit that SIX is not diminished, that the licensed women being fewer are frequented by more men, too numerous to be named here! Alas, neither these law-makers, nor the law-executive, nor its defenders seem to know, or believe, or think, that this house swept and garnished by them for these prostitutes, still inclineth to death—“that her steps take hold on hell,” “that her house is the way to hell, going down to the chambers of death!”

Mr. Westbrook and *Mr. McDonald*, are respectively the INSPECTOR and SUPERINTENDENT of Police at Portsmouth. Their evidence paints all the provisions of the Acts in high colours, and as in the case of Plymouth, attributes all improvements to the effect of their own labours. *Mr. Westbrook* admits some startling facts. He says one young girl has been seventeen times in the hospital in four years; an unfortunate illustration of "Stamping out the disease," an expression by the way, of frequent recurrence in the mouths of witnesses before the former Committees, but one nearly dropped now; it being a matter of fact, that even if a milder form of the disease be admitted to prevail, its victims have increased under these Acts. I have not the least doubt of this. *Mr. Westbrook* admits that *solicitation* is as bad as ever in Portsmouth. The value of his statistical reforms (though he does not fly so high as *Mr. Anniss*) may be tested in like manner. He admits that women are brought up to the surgeon upon information, and found to be quite healthy. This Inspector himself testifies, "that the disease is not diminished since 1864;" he also boldly states his conviction "that the periodical examination is hard on the women."

Pretty strong evidence for a member and director of the police. But his subordinate officer takes a different view of inspection. "He had never observed the slightest unwillingness in women to be examined—never heard one of them express repugnance!!!" In fact, according to him, Portsmouth is a harlot's Paradise!

The fifth and last member of the Metropolitan Police cited by the advocates of the Acts, is *Mr. Smith*, Inspector at Aldershot. How much his testimony is calculated to help on the bad cause the following specimen will show.

Brothel-keepers do not seek to disguise the character of their houses from the police, and do not deny them information and assistance. Witness *believes them to be generally favourable to the Acts*.

A pretty admission this! and a key to the whole system! Brothel-keepers are sustained, countenanced, recognised in many ways by these Acts. If there has been a reduction of these houses in any district, it has been proved on evidence in every case, to be due to the local police. These brothel-keepers, these infamous farmers of women, and caterers for lust, are co-operators with the police under these Acts. They might as well be openly licensed; they are just as safe from all interference. This is one of the greatest and most infamous scandals of the system. If the brothels were all abolished, as they might be under the local government, where would the policemen's women be? This Inspector further states, "*that there is a constant stream of fresh prostitutes at Aldershot.*"

And this is all these vile laws accomplish! They heal these licensed prostitutes again and again, and send them out to be defiled

again and again. "A girl may be six or seven times in hospital in the year, though an extreme case,"—and since those who are not driven away by the persecution of the police and the terrors of examination, do not suffice according to this cursed trade, to meet the demand of a licentious soldiery, "a stream of fresh women is always flowing in at Aldershot." Yet witnesses have the effrontery to assert that these poor raw country girls are deterred, frightened away by the Acts from prostitution. Such a mass of self-refuting, self-condemning evidence was never before produced !

Any person wishing for further evidence of the inaccuracy of the London police and of Col. Henderson's returns, may consult the testimony of *Mr. Wakeford*, Superintendent of the local police in Plymouth—having been in the force since 1863—three years before Inspector Anmiss's inquiries.

He does not think that there have been 250 brothels in Plymouth during the last seven years. He certainly affirmed that there never had been 1200 prostitutes in Plymouth. They are well known to his men. There were 510 in 1867. There were not 2,000 women in all those towns in 1864. Thinks the Metropolitan Police were misled. Col. Henderson's Report that there were 132 prostitutes in Castle street was incorrect. There had never been more than *twenty-five* there since he had been in the force. Does not believe that the improvement in the streets is due to these Acts. There is a perfectly good feeling between the local and Metropolitan Police Forces.

So much for police evidence in favour of the Acts.

Of those witnesses more distinguished in rank and position, and few in number, who gave evidence in favour of these Acts, I have already noticed two; the deplorable evidence of Lord Sandhurst and Dr. Ross, relative to the abominations in India: of Mr. Lushington as a member of Government and warm promoter of the Acts, I will say nothing. The evidence of *Capt. Gore Jones*, commanding H. M. S. "Impregnable," and General Inspector of the training ships through which 3,000 boys are constantly passing into the Navy, certainly demands attention, and is the most independent and influential testimony on the side of the Acts. Of course the gallant officer views the subject from the stand-point of the Admiralty; and there is internal evidence in his depositions that he belongs to the school of Sir H. Storks, who hold fornication and prostitution as a fearful necessity, and that legislation must proceed on this hypothesis. There is a singular discrepancy in the two official records of *Capt. Gore Jones's* evidence. In the analysis published by the Commissioners in the Blue Book, he is made to say with regard to his boys, not merely that many of them will commit immoral acts even under the strictest surveillance, but that "*it would be undesirable to prevent them?*" And this, as it is hinted, because such forcible restraint might produce worse and more degrading offences. In the record of his extended examination these words do not appear, and the whole statement is modified.

Had I seen only the analysis, I should most earnestly have deprecated the false and fallacious as well as unchristian dogma, that a crime, which men of the world think lightly of, should be winked at or tolerated, in order to prevent the commission of a secret sin which they view as more malignant. The testimony of all ages of the world proves that one of these vices leads to the other, and that whenever and wherever one is prevalent, the other assuredly abounds! The painting and sculpture found in the ruins of Pompeii and Herculaneum fearfully illustrate this.

I cordially welcome all that this active officer attests as to the general improvement among the men in his service, and I can from personal knowledge corroborate it; having for many years enjoyed much intercourse with both men and officers, and having taken a deep interest in their welfare. But in my judgment, and evidently in that of several of his examiners, Captain Jones fails entirely in *proving* any connection between this great moral and physical elevation of the Navy, and these Contagious Diseases Acts; in fact his own chronology confutes him. The great tide of reform had set in long before the existence of these Acts. Their efficient operation, or any appreciable results, at home at least, cannot go further back than four years, or five at the utmost, while the amendment in the Navy commenced twenty-five years since, and has progressed with accelerated force every year. Indeed the admirable discipline, and active superintendence of this officer, as incidentally drawn from him in his evidence, are of themselves quite sufficient to account for all the favourable results among his own boys; while as to the rest we have only his confident assertions, and his strong convictions, and his unqualified approbation of the Acts—but hardly a tittle of evidence in support of them. Other evidence, from actual workers of the Acts, more than rebuts this officer's convictions.

The diminution of the disease on board ships under his own eye, and every word which he deposes of his own knowledge, no man of honourable feeling would question for a moment; but there is "*a Missing Link*;" proofs are totally wanting to establish the connection between his naval reforms and the working of these Acts. We have repeated personal evidence that the disease, though milder in its character, has not decreased in the number of its victims on shore. If it has done so on board ship, it must be attributed to other reformatory and sanatory measures, enforced by naval discipline.

Captain Harris ought to have been classed with the police witnesses; having been Assistant Commissioner of Metropolitan Police for many years, but was first charged with the administration of the Act in 1870; so that at the time of his examination he had not had much above a year's experience in the working of the Act.

Confining myself to "the analysis" of his voluminous examination, one or two things alone need be noticed. Of course he is in favour of the Acts, and the tendency of his evidence is to confirm them, and his wish is to extend them, especially to such places as Birmingham and other large towns, more particularly where any soldiers are quartered! His statistics must, of course, be those of his zealous predecessor, with whose evidence before former committees we are familiar.

The totals of his figures are sufficiently appalling! 9,688 women have been placed on the register; that is, have openly professed, and have been publicly stigmatised and recognised, as harlots on the Government books! On the persons of these unhappy women, no less than 103,677 medical compulsory inspections have been enforced! the result showing that of these, 86,377 cases were free from disease, and therefore unnecessary, cruel violations of decency; while in only 17,303 cases disease was detected—disease in all probability in very many instances not *contagious* disease! When it is remembered that these wholesale, infamous published records of English female depravity represent only a comparatively small portion of the population, chiefly in military and naval stations, the mind recoils, not so much from the uncertain prevalence of disease, on which the Faculty differ so much, as from the frightful extent of the sin of fornication! And when to these nearly 10,000 women, we add their 10,000 paramours, and how many more God only knows, I can only say, may God be merciful to our guilty land! To my mind the eradication of the disease is a bagatelle compared with the eradication of the horrible sin which causes it! And that this national crime and guilt is fed and fostered by these Acts we must believe, or refuse to accept any evidence. Not one witness whose evidence I have read on either side attempts to say that *the sin is diminished*. While not a few maintain that it is encouraged and increased by these Acts.

Captain Harris deposes further from his columns, that of these unhappy 9,688 prostitutes, 2,148 have died, and where are they? Of the survivors, 490 have married, 634 have gone to homes, 1866 have been restored to their friends, making a total of 7,038 removed from the register. But hear his doleful conclusion: "*He has no account of what became of these women; many of them may have returned to a life of prostitution and have been re-registered!*"

We can supply Captain Harris with this information. From evidence already quoted, 90 per cent. of the married women continued prostitutes; those at the homes have seldom staid there, and the most competent official witnesses gave their evidence that not 10, seldom more than 5 per cent. of the whole 10,000 are finally reclaimed. It is of no importance to follow Captain Harris's evidence further. He knows well the widely-spread opposition to the working of these

Acts, and is only withheld from recommending their immediate enforcement on the whole country by a conviction that it would not be *politic*! We could expect no less from the head of the police.

The evidence of *Lieut.-General Sir Richard Airey* need not detain us long, as it turned almost entirely upon the question of examining the soldiers, and the reluctance of many military doctors to discharge such an odious duty. That such a regulation must lead to the diminution of the malady may be readily granted, and the treatment of both sexes alike is not only palpably just, but a necessity, if the physical object is to be obtained. Sir Richard drops one or two points of evidence not unimportant—for instance, the description of the military despotism which prevails on the Rock of Gibraltar; his confirmation, though not from personal knowledge, of the abominations of the military legalised prostitution in India. He confirms, too, the most important fundamental fact regarding all these Acts and sanatory measures, that they were adopted for the *sole purpose of stopping a raging and destructive malady in the Army and Navy*. The reform of the women was an after-thought, a palliative to make the real object of the Acts less offensive to the moral sense of the nation. Their original design, and their actual present use is, primarily, as far as Government is concerned, simply to *provide healthy women for fornication*. It is affectation, if not something worse, to deny this! As to the moral checks or palliatives which accompany the execution of this purpose, such as chaplains, homes, &c., we have seen their inefficiency and fallacy, and that proved by most competent witnesses.

And now we approach the medical phalanx which, both in number, some of them in position, and no doubt all of them in individual character, present a formidable line of defence in favour of these Acts. And had we not so many practical and painstaking professional gentlemen ranged against the Acts, we might be tempted to give up the *physical* question as hopeless: but while it has been shown and proved by most able testimony that the practical working of these Acts with regard to the suppression of disease is an extensive and great failure, our opinion and our advocacy, even on this ground, must continue strenuously against them. Of the sixteen medical witnesses who defend the Acts, in whole, or in part, all except two are engaged in the actual administration of the system; and nearly all of them are evidently imbued with the almost universal persuasion of military and naval men respecting the treatment of this class of women. Five or six of these gentlemen gave similar evidence before the former committees of the Lords and Commons; so that their convictions, and the nature of their testimony being perfectly known already, it is not necessary, nor could I undertake minutely, to examine it.

It may be supposed that on many of the salient points their evidence confronts, and is distinctly opposed to the medical opinion on the other side; but, as in studying this evidence, *facts* have weighed more with me than opinions, I confess I have had no difficulty at arriving at my conclusions. Moreover, as I have before stated, this part of the evidence relates chiefly to the nature of the malady in question, and enters into details unfit for any person except professional men to peruse. The moral question is not much entertained by them; and that is the question which alone would induce me, as a clergyman or a Christian, to engage in this controversy.

Illustrating these observations, I will refer for a moment to the evidence of the Inspecting Surgeon, at Devonport, Mr. Pickthorn. This gentleman appears to have been for thirty years a naval surgeon, and his practice was confined to naval men on board ship; but with little experience of female diseases generally, and none at all in connexion with his special duties at Devonport, he is appointed to the arduous office of examining all the women of that large district. This appointment, and that of so many others of the same character, savours of the well-known economy of the Admiralty—providing for so many half-pay surgeons.

But Mr. Pickthorn himself is not lacking in self confidence; and when hardly pressed on this point, he avows his conviction that he is quite as competent for this difficult and delicate duty as one who had previously exercised it. He boasts that he had examined 500 *women ten thousand times during the year 1870*! giving to each woman about *three minutes*; that they were never hurt, seldom showed the least reluctance:—he acknowledged that occasionally he might send one into the hospital who was not diseased, or might have turned back again into the streets one who was not healthy—these were most rare instances.

The whole style of his evidence tending to show that the hardening influence which so many witnesses attributed to this loathsome operation as it respects the suffering women, had in some degree affected the operator! Indeed he would not be a human being if it had not!

He further deposed that the vast majority of these cases exhibited no malady—"as many as 70 in a day, and not one fit for the hospital!" Yet some venture to justify this wholesale surgical violation of the persons of healthy women by the rare case of some internal malady which may render the examination of a modest woman necessary. They might as well attempt to vindicate this frightful proceeding by the attendance of medical men at child-birth!

Mr. Pickthorn had used the instruments to 400 out of the 500 women! He generally declines giving any opinion on the moral question; but states as a fact that in many cases, though said to be reformed, the women "had relapsed into prostitution!" He is sure they had rather be examined by a male than a female surgeon!" How

he could ascertain this does not appear. As to the existence of clandestine prostitution, *he doubts the evidence of the Police*, and refers his examiners to the *officials of the hospitals*, which officials have already assured us that clandestine prostitution has been greatly extended by the Acts. He confirms the co-operation of brothel-keepers with the police, and being a "necessity man" he thinks it possible "*that the number of prostitutes might be too much reduced, considering the number of men who reside in these districts!*"

What does this mean? What else can it mean, than that the Admiralty, Horse-Guards, Government, Parliament, and all concerned in promoting these Acts are engaged in the endeavour to provide an ample or suitable supply of clean prostitutes for the use first of the United Services—and then even for the whole *male population* of these districts who live in the habits of acknowledged vice! In truth, the deep condemnation of these unrighteous acts may be abundantly taken out of the mouths of their paid agents, and their own witnesses chosen in their favour. No doubt the evidence of such eminent men as Dr. Bernard, Dr. Balfour, and Dr. Armstrong, upon any *medical* point touching this fearful malady, demands our highest consideration; but on such points of detail, and the impure, cruel, and oppressive operations of the acts, and their moral tendencies, the disclosures of their inferiors and subordinates are much more to the point. All those distinguished physicians also hold high office, and most of them in military and naval circles; and trusting, as they must do, to the rickety statistics which are so easily picked to pieces, their opinion on the whole case is much lowered in value in the estimation of outsiders.

It is hard to say whether *Dr. Row*, who had charge of the Lock wards for five years at the Albert Hospital, is for or against the Acts—

He thinks them too lenient!! that the women are *becoming a petted and privileged class!* Has heard Devonport is jocosely called a venereal elysium! Does not believe the number of prostitutes diminished—considers that the Metropolitan Police are entrusted with too much power; with respect to the morality of the men, the *sense of greater immunity from risk, is indirectly provocative of crime!* yet on the whole he is in favour of the existing acts, provided only *certain amendments* were introduced—he *believes clandestine prostitution has increased—though the Police don't think so.* He believes prostitutes have not diminished, and that solicitation in the streets has not diminished—but because of some physical benefits—*perhaps* of some moral ones, there is less open profligacy and more external decency, and the whole class of prostitutes are better off—*therefore* he supports the Acts!!

To such questionable support, and upon such incoherent reasons, the advocates of this case are heartily welcome.

Mr. Moore became surgeon of the Lock ward, at the Albert Hospital, in the place of the four honorary surgeons, superseded; his evidence is not material—except that he would have weekly instead

of fortnightly inspections. Witness does not agree with Dr. Row (he might have said with almost all the other witnesses) that the reformation of the women is feigned or fleeting. He believes *numbers* are reclaimed. He must have great faith! He has only been a year in office, perhaps experience may teach him better.

Mr. Methan was surgeon to Devouport Borough Prison nearly thirty years. Produces no new testimony regarding the Acts, except a deposition about the women preferring the gaol, with its solitary cells and stricter diet, to their treatment in the *Albert Hospital*. Why a pro-act's witness was thus encouraged to make out a case against the pet Hospital was puzzling; but the enigma was solved by subsequent questions, which prove that this was intended to damage Mr. Wolferstan, a powerful witness against the Acts, who was the resident house-surgeon at that time! Such manoeuvres damage only their contrivers.

Mr. Bulteel, F.R.C.S., Surgeon at the Albert Hospital from its foundation, limits his approval of the Acts to their application to military stations. The civil population should take care of their own health. The State should take care of soldiers and sailors. "Witness believes the Acts to have a moral effect by reducing prostitution." But his belief is rendered worthless, since he adds that "*it is based on the evidence of the police;*" evidence which has been shown to be so untrustworthy, and that prostitution is not reduced! "Fears lest women should be wearied with too much religious instruction" in the homes. Has not entire confidence in the figures respecting reclamation. Does not believe in 60 per cent! Would take the administration of the Acts out of the hands of the naval and military, and place them under the civil authorities.

It is not said, but it may be presumed that this gentleman is not a military or naval surgeon. On the whole Mr. Bulteel's is a very mild defence of the Acts.

Mr. Hopgood, a civil surgeon from St. Bartholomew's Hospital, nineteen months' resident surgeon at the Lock Hospital, Portsmouth.

While generally supporting the Acts, evidently thinks they need much alteration. Testifies to the diminution of the virulence of disease, but not to the number of persons affected. One girl had been seventeen times in hospital in four years! and, of course, had returned to her vicious calling seventeen times! Does not think the women less debauched as to drinking habits than they were. "I think, as a rule, when they leave the hospital they return to their old mode of life."

Of course they do—this is the use and object of these Acts—and this is attested by its warmest advocates—it is idle to deny it.

This witness further admits that these women are demoralised by the frequent inspections, knowing the purpose for which they are examined (11,632). It tends to cleanliness, but strictly speaking, in a moral point of view, to the reverse. (The "analysis" here is inaccurate.) Subsequently he adds,—“Under the present working of the Acts, it is a question whether the women are

moralised or demoralised by them." And this is a witness produced in their favour!

Of the remainder of the medical witnesses, the following have given evidence before the Committees of Lords or Commons on former occasions. *Dr. Balfour*, who appears to have become more favourable to the Acts, misled, as it is evident, by the statistical returns of his subordinates, the erroneous character of which has been fully established. *Mr. Berkely Hill*, who has given evidence already, both before the Lords' and Commons' Committee, and whose efforts have been unceasing in endeavouring to establish these Acts; *Messrs. Woolcombe, Parsons, Sloggett and Barr*, whose evidence has also been published on a former occasion. Upon all these I have commented in a previous pamphlet. The remaining medical men who gave evidence in favour of the Acts are *Mr. Lane* and *Mr. Bond*.

The former, *Mr. Lane, F.R.C.S.*, is decidedly in favour of the Acts, and has been surgeon of the London Lock Hospital for twenty-five years. "He believes the women are grateful for the Acts!" Of course, the regular licensed women are so.—Why should they not be? The Acts enable them to carry on their "*profession*," as this witness calls it, with more comfort and security, cures their disease, takes care of them in hospital, and turns them out to renew their prostitution! Truly they are benevolent Acts! He affirms that the number of the women is reduced, which is not true, except it be confined to the registered women, "and that this undoubtedly increases their gains. This evil will cure itself, as *more women will enter the profession!*" This is a pretty climax of medical speculative morality? Prostitution is a *profession*—a profession rendered so safe, salubrious, and remunerative, that not only may vicious men and women enjoy their sin with impunity, but the "*profession*" becomes so attractive that more and more will be inclined to enter into this vile and wretched trade—a trade which always "drowns its victims, men and women, in Eternal Perdition!" This gentleman had better introduce the Indian custom, and have "a caste of *Born Prostitutes*."

Indifference to the sin and guilt of this vile "*profession*" must lie at the bottom of such a remark as this! How a Christian can contemplate such a "cure" for such a contingency, without shuddering, is surprising!

Mr. Bond is only a surgeon to a Division of the Police, and seems to have no experience of the practice of the Acts. He is produced merely to give his opinion that the voluntary system fails, and that a compulsory law must be established.

Passing thus from the medical evidence in favour of the Acts to that of the laymen produced, I do not find matter to detain us long. The witnesses are of rather a miscellaneous character.

Mr. Howell is a member of the Portsea Board of Guardians, and stoutly defends the Acts, but the significant fact is elicited from him "*That the Acts have materially reduced the expenses of the Portsea Union,*" which, to a Guardian, must prove an irresistible charm! This witness hints that members of the Town Council fail to put down drinking places, because they are interested in the sale of liquor—very probably! But may not the members of the Board of Guardians be accessible to a similar weakness; and so be prejudiced in favour of the Acts?

Mr. Barber (local police), head constable at Portsmouth:—

"Does not think the Acts have prevented clandestine prostitution. Wishes more power to put down brothels which are disorderly, but does not think it possible nor desirable to get rid of them altogether."

Of course not; the "Profession" requires such places, or how can it be maintained? A worthy "necessity-man," and a fit witness for the Acts for making prostitution respectable! Then there is *Mr. Phillips*, Clerk to the Borough Magistrates at Plymouth, of whom the witness says, "They are unanimously in favour of the Acts." How then could their clerk be otherwise. "He believes" nothing against the Acts, and everything in their favour. Such faith is beyond criticism! Then come two chemists and an undertaker! Of the former, *Mr. Stroud* states that the Acts have almost annihilated his private business in this line, "but he thinks there will always be a large class of concealed prostitutes;" indeed no one but a policeman thinks otherwise! *Mr. Lloyd*, the other chemist is of Aldershot, and he had a large practice among the men before the Acts came in force, which has much diminished. "He thinks the Acts diminish disease and immorality," but he immediately adds that "*he does not think that there is less prostitution than formerly!*" Of course not; if disease be decreased or mitigated, prostitution flourishes proportionably! These are damaging witnesses for the Acts. Then we have *Mr. Miller*, the undertaker, at Portsmouth, a volunteer witness, quite in his own line; although the Acts have only been three years in force in Portsmouth "yet he can prove a great diminution in the deaths of the prostitutes, and of their natural children, that they are now strong, healthy, and behave well." In short, prostitution is likely to become a well-to-do trade in that town. "The Acts are very popular among the upper class of tradespeople." One can only hope that such pure Syrens may not be too much for the virtue of the "upper classes of tradespeople!" "Witness does not think that the Acts have any immoral effect by making men feel safer." Many witnesses differ from him in this bold assertion! Next we have two Plymouth magistrates. *Mr. Luscombe*, merchant and shipbuilder, who has been twice mayor, and is one of the magistrates who strongly supports the Acts, although he modestly claims for him-

self the credit of previous great moral improvements in the town. But anything that this witness could depose in favour of this legislation would be utterly valueless in my estimation, when I read this fatal deposition (*Analysis*, p. xiv.) :—

"He thinks it most undesirable, were it possible, to banish prostitution altogether. Ours being a celibate Army we must shut our eyes to a certain extent to prostitution!" Here is another "necessity-man!" a mayor and a magistrate, who winks at prostitution! said I not truly that this lies at the bottom of the support of these Acts? They are intended to support prostitution, and they do so! For my own part, as a father and a Christian, I say perish a "*Celibate Army*" if it can be maintained only by the commission of a great national crime—a supply of healthy women by the State for its fornicators!

The whole of these Acts are built on this corrupt foundation, and the moral sense of the Nation will not submit to them. Such are Government witnesses, such their chosen advocates!

Of the few independent clerical witnesses produced on the same side, three in number, I wish I had space to say more. For though few, I fully admit their high character, their conscientious and perfectly disinterested intentions; but sifted, as evidence on such subjects must be sifted, their testimony amounts to very little.

The *Rev. H. Everitt*, for seven years an incumbent of St. John's, Devonport, and now incumbent of Holy Trinity, Dorchester, is one of the most competent and best informed on the subject. For a short time he acted as voluntary chaplain to the Albert Hospital, before the Acts were in force, and continued on the managing committee until last year, when he left Devonport.

I am concerned only with his testimony regarding the reformation of women, and the moral tendency of the Acts. After admitting "that the condition of the population was in his judgment but little amended, he makes (*analysis*) the following deposition respecting the reformation of the patients—

He always endeavoured to persuade girls when discharged from hospital to go into homes. They were often willing to go; but some of those who went willingly and seemed penitent did not remain there. An immense number, he should say half, are undoubtedly reformed; some go into service; *an astonishing number get married. Many have relapsed, and have been reformed several times.* As a clergyman he considers the Acts favourable to religion and morality; and believes them instrumental in reclaiming women. *He is aware that they are intended to prevent disease, not to prevent prostitution,* but thinks they do prevent prostitution. He should not be a supporter of the Acts, but for the clause appointing a chaplain, and bringing women under moral and religious influences. He is not prepared to say he would have had the Acts without the clause, but he would not have worked for them as he has done now.

Placing these somewhat loose and inconsistent statements beside those of Mr. Wolferstan, who was house surgeon at this same hos-

pital during all this period, and that of the matron during the same period, and adding the important and moderate testimony of the Rev. J. Hawker, who was official chaplain for the last two years, one is almost confounded by the discrepancy of the evidence. That Mr. Everett stated what he believed, and asserted only his own persuasions, I do not question, but his opportunities of observation were far inferior to those of the last-named witnesses, and his statements are not confirmed by a tittle of registered evidence. Now we know that the counter statement amounts to this—that instead of *one half* the patients being reformed (Mr. Everett does not go quite so far as Mr. Anniss's 90 per cent.) not ten or even five per cent. were finally reclaimed, and that of these *astonishing numbers* of prostitutes who marry, as Mr. Everett himself acknowledges, chiefly to soldiers and sailors, *ninety per cent.*, according to Mr. Wolferstan, remain prostitutes.

As to the only provision of the Act which secures Mr. Everitt's support, namely, the provision of a chaplain, the active and evidently earnest chaplain, Mr. Hawker, tacitly admits the almost total failure of his mission.

The position of a pious clergyman in such an office is in itself a contradiction in terms, *de facto*. He must "serve two masters," if, when he preaches repentance and forgiveness of sins to these unhappy victims of military profligacy, he should add, "go and sin no more;" so far forth as he succeeds, he defeats the object of his employers at the Admiralty and Horse-Guards who are seeking only the bodily health of soldiers and sailors by providing clean women for them! The stern "necessity" of fornication, and therefore of prostitution, hangs over him like a dead weight, poisoning his instructions, and offering daily practical refutation of his work and labour of love. From my heart I pity the man who stands in such a position as this.

The evidence of the *Rev. Alexander Lowry*, who was honorary chaplain to the hospital at Portsmouth, and has been paid chaplain since it came under the operation of the Acts, is of a very interesting character; there are incidental touches which show how much a good man has to encounter in the honest and earnest way in which Mr. Lowry evidently conducts his mission. But, carefully examined, his testimony goes to prove little in favour of the special regulations of these Acts, and it is doubtful whether he does not prefer the voluntary system. The Portsmouth Hospital being rather more a voluntary than a Governmental institution, and its home being conducted on a far more mild and Christian plan than the harsh system complained of in the Government homes, must not be taken as any criterion of the successful working of these Acts. Excellent, pious, and benevolent persons had been occupied for some ten years and more in a united effort to

save both the souls and bodies of these lost ones, and the engrafting of the Government system appears from this pious chaplain's evidence to be something like putting "a new patch on the old garment." Mr. Lowry's evidence helps further to expose the fallacies of Colonel Henderson's reports, and singularly confutes the favourable evidence of the *undertaker*. There is little certain evidence of the numbers finally reclaimed through this hospital while it is clear that the most prudent and humane efforts are made to soften the harsh, physical, material nature of the Acts. Mr. Lowry appears to feel the hardening influence of repeated examinations, and that the recognition of these women by the State may have a tendency to confirm them in evil ways.

The *Rev. Mr. Puckle*, for many years Incumbent of St. Mary's, Dover, gives his opinion strongly in favour of the Acts, but it is chiefly to the improvement of the conduct of the women in the streets.

"The number of whom" (probably of the registered ones) "has diminished very much, while clandestine vice remains the same. The women are better clothed, better conducted, more cleanly and decent."

But along-side this fair picture the witness adds:—

"That public women in Dover are generally strangers. The garrison being greatly out of proportion to the population, bring down women by van loads."

What awful revelations are these! There is no Lock Hospital at Dover, so that any evidence on the subject is very imperfect.

Rev. Mr. Fraser was Chaplain of the County Gaol for Women, at Maidstone, for five years.

X Supports the Acts now, though prejudiced against them at first. Nineteen women have been "imprisoned for refusing to be examined. Thinks the women had not then realised the benefit of the Act, and fancied that it interfered with their calling!"

This was, indeed, a mistaken fancy. The Acts, far from "interfering with their calling," qualify them for it, support them, and encourage them in it! But what a confession for an advocate of this fearful piece of legislation! and for a clergyman!

He does not think examination has a hardening effect. The girls smile when you ask them such a question. "They are grateful for the Acts, and for the care taken of them," as well they may be! "but he does not think they enter into the question whether the State recognises prostitution!"

The Acts are carried out very mildly under Dr. Bagshot, too mildly it would seem in the judgment of this gaol chaplain, who would never have the women sent to prison for less than fourteen days! He thinks seven days only an agreeable change to the women! There is certainly more of *Law* than *Gospel* about this Chaplain's evidence!

Of the last clerical witness I would speak with great respect, knowing him personally to be an excellent and upright clergyman, and incapable of saying anything which he did not believe to

be simple truth. But I cannot but regret that from such a superficial view of the state of Plymouth, where he has recently settled, and with such manifest unacquaintedness with the operation of the Acts, and with the whole subject, he has appeared to be so much in their favour. Very possibly, under the lynx-eyed watchfulness of the local police in uniform, and of the Government men disguised and out of uniform, Mr. Wilkinson may find a superficial view of the state of the streets in Plymouth contrast favourably with that of Birmingham, where it seems the municipal Government is not very active. But I feel confident that if Mr. Wilkinson will examine the subject more deeply, he will come to the same verdict that almost all civilians have passed upon these Acts—physically *useless*, and *morally mischievous*.

To the lady witnesses on the Government side I will not refer, as they are all in the employment of the authorities, and their testimony presents no new feature. Nor have I space to consider the evidence of one Wesleyan minister, and one Dissenting minister, and a City missionary. They approve and work with the Acts, but they are quite exceptional persons of their class.

Of the Commissioners, their Report and their diversity of opinion I will not speak, except to observe that the recommendation of, I believe, three-fourths of the whole body, that the compulsory examination of the women should be immediately stopped, was disregarded by the Home Secretary, or the Prime Minister, on whom alone rests the burthen of inflicting some 100,000 examinations on some 10,000 women during the current year!! Whether their further recommendation that the police should no longer be disguised as spies, but should wear their uniform, has also been disregarded, I cannot say. The singular diversity of opinion among the Commissioners, which seems to be the normal condition of all such bodies, may be accounted for in some manner by the irregularity of their attendance, excepting a minority, who hardly ever failed to attend. Any student of the published evidence would be better able to form a just conclusion than those gentlemen who heard only a partial and unconnected portion of the *viva voce* examination.

I cannot believe it possible that the majority of those medical men who signed a recent memorial to Mr. Bruce, praying that legislation might not be interrupted on this subject, can have read any reasonable portion of this evidence. As far as I can understand that address, it is principally based on the opinion of Dr. Balfour, and the statistical information given by him upon the beneficial results of the Acts. But as his facts rest avowedly on the tabular returns of the police, both as to the diminution of the disease, and the decrease of prostitution; and as those official reports have been proved again and again by competent witnesses to abound in improbable if not impossible misstatements, it is to be hoped that

these distinguished medical men will examine the truth of these things for themselves, before they give the high sanction of their support to a system of which they may ultimately disapprove.

After a wearisome and I may say a loathsome study of the whole of the analysis of these depositions, and a careful examination of the evidence of many of the principal witnesses, *in extenso*, I must record my deliberate conviction and judgment respecting the origin, nature, and operation of these Contagious Diseases Acts.

That these Acts have sprung exclusively from military and naval men, who have long introduced many of their provisions into foreign stations, as in China, India, Malta, Gibraltar, and other garrisons, where military absolutism reigned supreme, and civil liberty and rights were disregarded.

That the *Horse Guards* and *Admiralty* prevailed on the Government to introduce these Acts into this country solely and exclusively on the ground of prevailing disease in the British Army and Navy; and that their single object was to abate that disease among soldiers and sailors by endeavouring to "stamp it out" among the prostitutes—in other words to provide healthy women among whom Her Majesty's Forces might gratify their passions with greater impunity; and that as this was the original design, so it has been the principal one all along, and so it is now!

To deny this is as absurd as it is dishonest, being in the teeth of the whole body of evidence, as well that before this Commission as that given before the Committees of Lords and Commons.

That the *Horse Guards* and *Admiralty* have infused into these Acts the unconstitutional principles of military law, and have contrived to maintain the administration of them in their own hands, filling up the medical offices chiefly with their own officers.

That these Acts were introduced into the House of Commons clandestinely, each Act more severe than the preceding one; until a power of a most dangerous character is vested in the police and the medical officers, whereby suspected prostitutes are placed in a worse situation with regard to legal protection than thieves and felons.

That these Acts were actually in force before a large number of the Members of the House of Commons knew of their existence, and that even at this time the majority of the people of this country are unacquainted with their provisions.

That the measures adopted to eradicate the malady among the women, are oppressive, immoral, and in a great measure futile. They have in some places mitigated the severity of the type of the disease, while they have not diminished, but rather increased the number of cases. Many competent witnesses attest this.

That prostitution on the whole has increased; clandestine vice having taken the place in many instances of public immorality.

That the measures subsequently adopted for the moral and religious improvement of the women in the hospitals have failed to produce corresponding benefits. That not more than ten per cent. of the women have been reclaimed, a much smaller proportion than were saved under the voluntary system before the Acts came in force; the women will not stay in the homes, and the great body of them return again and again to prostitution when released from the prison hospitals. That the fortnightly examination is hardening in a frightful degree to the women, sealing them to a life of prostitution in which they consider themselves secured and licensed by the police and doctors. Vice is cleansed, garnished, patronised, and encouraged by these Acts, while the specific object has not been attained. Contagious diseases (however modified in type) are more widely spread both among men and women; the supposed immunity induces many to indulge in sin, while the promised security proves fallacious.

It is almost the universal testimony that any measure of physical advantage obtained by cleanliness and better medical advice, is too dearly purchased by the increase of vice, both in men and women.

The most hardened registered women approve of the system, and very naturally, as it leaves them and the brothels which they frequent or in which they live, unmolested as long as they submit to examination and are healthy; while it affords them an asylum when diseased, with medical attendance, and excellent nursing at the expense of the country, and when they leave furnishes them with a passport to practice their infamous trade in perfect security, especially among the military. To open doors of refuge on the one hand, and the freedom of the streets on the other, does seem a solemn mockery, and in its results it has proved so. The asserted reformation of "numbers" of these women is a farce, a delusion! The whole depositions prove it to be so! The religious and moral influences brought to bear on the victims of such a vicious system as this are but transparent veils, fruitless attempts to conceal the real licentiousness and libertinism of the whole scheme. *It is corrupt in its foundation,—cruel in its operation,—futile as to its object,—and demoralising in its results!* It is incapable of emendation; it must be repealed and abolished. The indignant voice of a virtuous people must be heard. Systematic wholesale profligacy cannot be legalised, nor supported at an enormous expense by this Christian country. DISEASE IS A GREAT EVIL, but VICE IS A GREATER! You are beginning at the wrong end! Put down vice. Shut up brothels. Remove ostensible and rampant sin from your streets. Punish the men sinners as well as the women. Some appear to think the unhappy victims of men's lusts are not to be put for a moment in the same scale with their male fellow sinners! *And I*

think so too! Because I think the latter infinitely more criminal, and less worthy of consideration than the former! Some witnesses depose that half these unhappy women take to this life, not from vicious inclinations, but because they must starve if they do not! And these forlorn, friendless, and destitute ones, driven to sin only to save life, are to be trodden down, treated as contraband, or as "creatures" of low caste; while their lordly corruptors, seducers—and companions in guilt—are to be regarded in quite a different light! Again I agree with those who say so! Because all my pity, concern, and compassion is awakened for the lost and ruined woman, a woman still, and capable of being no longer a "natural brute beast;" and I have no pity at all for the pampered man, who is equally a prostitute, but has no plea of hunger, nor despair, but prostitutes his body only to gratify his own degrading lust, by which he is "drawn away and enticed."

Nevertheless, if any legislation can be devised which tends to check the progress of contagious disease, while it neither infringes on the just liberty of the subject, whether man or woman—equally acting towards both sexes—nor directly nor indirectly encourages vice, let it by all means be adopted; but I trust that neither obloquy, nor misrepresentation, nor vulgar abuse, nor any other mode of modern torture, will deter our friends from agitating upon this subject by all lawful means; since I firmly believe, that if the existing Acts, or any like them, become or continue the law of the land, a death blow will be inflicted on the moral stamina of our virtuous and domestic country; and the first stride will be taken on the downward road to ruin, temporal and spiritual, which terminates only in such a political, moral, and religious disruption as that now so deplorably exhibited in a neighbouring country.

May our great and good and virtuous Queen, whose unsullied court is a model for all lands, defend the thousands of her devoted daughters from this insult to their purity, and rescue future generations from the breaking forth of a flood of legalised vice, which will flow down in ruin and desolation to generations yet unborn!

*Does removal of danger upon demand? or approval
 of 100 prot. in given upon supply must
 when some or many known to be dis. & no
 insured, & if all these be certified as
 removal of dis., w. the demand for subje
 rectly diminish? w. not the supply
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APPENDIX.

IMPORTANT TESTIMONY OF THE REV. PROFESSOR MAURICE AGAINST THE CONTAGIOUS DISEASES ACTS, AFTER HEARING THE EVIDENCE BEFORE THE LATE ROYAL COMMISSION.

In a Speech delivered in the House of Commons on the Contagious Diseases Acts, on the 22nd of July, 1872, Mr. Mundella, a Member of the Royal Commission, spoke of the opinions of the late Professor Maurice in the following terms :—

“ During the six months that I sat upon the Commission with him, I could never learn from him until the evidence was concluded, what were his opinions. He was reticent, cautious, *impartial* to the utmost degree. He was a model Royal Commissioner. At the close of the evidence he wrote to me, and enclosed a memorandum, which he described as some ‘Hints respectfully submitted to the Commission.’ ”

After having summed up the allegations and opinions of the two opposing parties, Professor Maurice wrote thus to Mr. Mundella :—

“ I can perceive nothing in the evidence of the Royal Commission, to shake the opinion which I should naturally form from the reading of the Acts, and which has been assumed in some of our latest testimonies (viz., those of Dr. Balfour and Dr. Armstrong) about them, that they were intended to affect the health of our army and navy, and if to affect their health, of course in the way which the opponents of the Acts suppose. I do not ask any one who thinks that a moral object, to abandon his opinion. I am not anxious to deny that it is better for the men to consort with healthy women than with unhealthy. But I must say distinctly that the objection to base any legislative measure upon such a consideration as this, appears to me a sound and reasonable objection ; not a *prejudice* like those which I maintained that

ought to defy, but a *conviction* which a Legislature cannot defy, without putting itself into hostility with the conscience of the nation. It seems to me that every argument in favour of the Acts, however well sustained, which is grounded upon the improved condition of the army and navy, *tends to weaken the case in favour of them, to deepen the protest against them, to make it invincible.* All this has nothing whatever to do with the theory that syphilis is a punishment for sin, and ought not, therefore, by all possible means to be uprooted. That doctrine I reject as distinctly immoral. Speaking as a divine I should affirm it to be utterly at variance with the example of Christ, who, if we accept the testimony of the gospels, healed sicknesses without reference to their moral causes, and made the cure of them an instrument of raising the moral standard of those who received it. I dismiss all reasonings of that kind as worse than worthless. And so far from desiring the Legislature to take any measures for the punishment or the cure of fornication, I should, as a moralist, *beseech them by all the precedents of the past, as well as by the most sacred principles, to abstain from any rash intrusion into a region in which their efforts have always been mischievous.* But it is quite another question whether they should establish a system of which the apparent object—that which strikes everyone who looks at their own statements as the object—is *to provide fit subjects for fornication.* To do that, it seems to me, is, as the repealers affirm, *to degrade the relation between the sexes, to make an anomaly into a law.*"

Professor Maurice further wrote :—

"The evidence of the police is clear as to the ambiguous character of the voluntary submission, as to the perplexity which they feel between their office as servants of the law, and that which is so desirable in itself, so out of place in them, as advisers to the women. There seems to be an equivocation in all this part of the Acts which will make them more and more difficult to work. The English people may swallow any amount of theoretical inconsistencies ; this is one which will be always thrusting itself before them in practice."

Notwithstanding rumours to the contrary, it is satisfactory to be able to give the reader positive assurance that Professor Maurice remained firmly and conscientiously opposed to the Acts to the very last.

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